The Solicitors' Journal.

LONDON, AUGUST 23, 1862.

The Roupell Case, if it had come off a month earlier, would probably have been enough to frighten parliament out of all notions about conferring an indefeasible title upon registered proprietors of land. However tainted or saturated with fraud Roupell's title might have been, any purchaser from him would have been safe "from all antagonists," if the property were once inscribed upon the magical register. Nor is it certain that any amount of connivance at the fraud on the part of the purchaser would in such a case, under the provisions of Lord Westbury's Act, invalidate the title in the purchasers hands. If Roupell had commenced his career of crime only a little later he would probably have achieved the additional celebrity of being the first grand illustration of the injustice of indefeasible title. It would certainly have surprised the British public to have learned the operation of Lord Westbury's Act by such a lesson. We believe there is no doubt that if Roupell himself, or the defendant in the cause of *Roupell* v. *Waite*, had obtained registration of the title of the land in question, under the provisions of the Act, that Englishmen would have been compelled to witness the great scandal of a gigantic and most villanous fraud absolutely established and rendered unimpeachable by Act of Parliament, and the protection of our equity tribunals.

New rules and orders of the Court of Probate have been published, and are to be had in the shape of two "blue" books, published by the authority of the Court. One contains the rules relating to contentious, and the other to non-contentious, business. Both sets are to come into operation on the 1st of next month (September), when all the existing rules, orders, and regulations relating to the court and principal registry are to be no longer in force. The new orders do not interfere with the district registries, but, on the contrary, are intended to introduce into the metropolitan registry the system which was last year inaugurated in the provinces. On and after the 1st of September, 1862, applications for probates or letters of administration may be made at the principal registry, either through a proctor or solicitor, or in person, by executors and parties entitled to grants of administration; but when it becomes necessary to obtain the direction of the court, the matter must be placed in the hands of a solicitor or proctor. There is to be henceforth a separate "department for personal applications," to be governed by a distinct set of rules, which are comprised in one of the blue books recently published. Two or three of these rules will sufficiently indicate the scheme.

1. Persons wishing to obtain grants of probate or letters of administration without the intervention of a proctor, solicitor, or attorney, must apply in person at the department for personal applications, and not by letter.

2. No such application will be received through an agent of any kind (whether paid or unpaid).

3. The applications of parties who are attended by a person acting or appearing to act as their adviser in the matter will not be entertained.

8. The papers necessary to lead the grant applied for will be prepared in this department. An applicant is, however, at liberty to bring such papers, or any of them, filled up, *but not sworn to*, and the same, if correct, may be received (the usual fee for perusal being charged). All further papers which may be required will be drawn in this department. Testamentary papers once deposited in this department will not be given out unless under special circumstances, and by permission of one of the registrars.

11. Every applicant must be prepared with a reference to some person of position or character, to establish his or her identity.

14. Legal advice is not to be given to applicants, either with respect to the property to be included in the above-mentioned schedule, or upon any other matter connected with the application, and the clerks in this department are only to be held responsible for embodying in a proper form the instructions given to them, but they will, as far as practicable, assist applicants by giving them information and directions as to the course which they must pursue.

It will be seen that the general character of this scheme is not nearly so objectionable as that which was promulgated last year for the district registries.

The following letter (which appeared in the money article of Wednesday's *Times*) relates to the necessity of subscribers to new companies being made acquainted with the nature of the deeds they are called upon to sign, and which, as a rule, are never looked at. The writer remarks that the expediency of the suggestion for legislative interference may be doubted, as he thinks the public should be taught to take care of themselves, although every prospectus should give information as to whether there are or are not any special or unusual clauses in the proposed deed, and in all cases where no satisfaction is afforded on that point subscriptions should be withheld:—

Sir,—I write to suggest, as a most salutary regulation, to be enforced by the Legislature, that in every prospectus of a new joint-stock company the chief heads of the trust deed on which the promoters are proceeding should be set forth. If left to themselves, the promoters of a company will never do this; yet it is most desirable that the subscribers should know for whose benefit the scheme is brought forward, and how much certain individuals are to pocket for their services.

I hope some of our working M.P.'s will keep this in mind when Parliament is again sitting.—I am, Sir, your obedient servant,

A Barrister.

We do not think that the "barrister" is very familiar with his subject, judging by his phraseology, but he has nevertheless broached a matter of some importance to the public. At least two classes of persons are interested in companies' deeds;—viz., those who are or who want to be shareholders, and those who have any other dealings with the company. It has been more than once held—though it can now hardly be said to be law—that the deed of settlement of a company is notice of all its provisions, not only to the shareholders, but even to creditors of the company. Practically, as a rule, one class of persons knows as little as the other of what is contained in the deed, which is generally "got up" in a manner the awkwardest possible for perusal; and certainly it is very rarely that any mere shareholder knows anything about what the deed contains. The simplest plan, perhaps, would be to invoke the aid of the printer in every case. We should have no faith in any such account of the "chief heads" of the deeds, as the "barrister" suggests should be always inserted in the prospectus. Any law which made it compulsory upon directors to publish such a summary would be merely a snare for honest men and an engine for schemers. It would always be a mere matter of opinion which in fact were the "chief heads" and which were so subordinate as not to require notice. There is no reason why any ordinary company's deed of settlement should not be contained in the compass of a very moderate-sized pamphlet, which might be sold for a few pence. The printing of chancery proceedings has unquestionably been of great advantage, not only directly, but indirectly. It has proved very convenient and also somewhat economical in itself, and it has also had the incidental effect of improving very much the style and manner of chancery pleadings. Equity barristers did not like to see in print what they were not ashamed of so long as it was illegibly written in awkward bundles of paper. A similar effect would no doubt be produced by the printing of companies' deeds. The lawyers who draw them would be more particular if their compositions were always printed; and we might expect that both brevity and clearness would be more studied.

At all events, shareholders, and those who wanted to become shareholders, would then have no difficulty in ascertaining the provisions of the instruments by which their rights and obligations were declared—information which, however necessary or advisable, is now all but impossible to acquire.

Mr. Henry Seymour has made the laws ecclesiastical his specialité, and, not being satisfied with the explanations of the Attorney-General about the Bishop of Oxford's recent "injunction," directing the clergy of his diocese to make a pause in reading the Litany, and also in another part of the Church Service, for the purpose of private prayer, he has taken the opinion of counsel on this subject. The Bishop's "injunction" to his clergy was:—

That, on the Sunday after the receipt of it, they give notice to their congregations, at the conclusion of the Nicene Creed, in these terms:—

"You are earnestly desired to make your humble supplications to Almighty God, who is the author of peace and lover of concord, that He will promote peace among our brethren in America, and inspire their hearts with Christian unity and fellowship.

"To allow of which prayer a short pause will for the present be made after the suffrage in the Litany, 'That it may please Thee to give to all nations unity, peace, and concord;' and also in the prayer 'For all Sorts and Conditions of Men,' after the words, 'we commend to Thy fatherly goodness all those who are in any way afflicted or distressed in mind, body, or estate.'"

Upon which Mr. Seymour requested the opinion of Counsel—Mr. Stephens and Mr. Jebb,—

1st. Whether the Bishop of Oxford has a legal right to enjoin the clergy of his diocese to make the two pauses specified in the above communication.

2nd. Whether the clergy of the diocese of Oxford could be punished by the laws ecclesiastical for disobeying such injunction.

Their opinion has been published. It contains the result of an elaborate investigation of the authorities. Both questions, however, wholly depend upon the construction of the Act of Uniformity (13 & 14 Charles 2, c. 4) and of the Canons of 1603. The opinion thus concludes:—

1st. That the Bishop of Oxford has not a legal right to enjoin the clergy of his diocese to make the two pauses specified in his communication to his archdeacons; and

2nd. That the clergy of the diocese of Oxford could not be punished by the laws ecclesiastical for disobeying such injunction.

61, Chancery-lane, Aug. 16. A. J. Stephens.
Richard Jebb.

The recent revelations about the "British Columbia Overland Transit Company" should be a caution to solicitors who are requested to lend their names to new companies. In April last, certain advertisements announced to the public that the British Columbia Overland Transit Company was an established fact; that directors, bankers, brokers, and officers had been appointed; and that persons wishing for a passage must apply without delay, or put up with a peremptory refusal and a chilling disappointment. The whole thing reminds us so strongly of the flourishing City of Utah, with its architects, town halls, fertile soil, and "spontaneous" public buildings, that we should have expected the Transit route to conduct us to the glorious Eden itself, had not an honest British colony figured in the title of the programme. The first "trip" of this honourable company commenced on the 29th of May, and in course of time the passengers found themselves encamped under canvas at St. Paul, without money or provisions from the company, and with no means of prosecuting their journey a single step farther. On inquiry in London it was then found that the company's offices had been closed, and, briefly, that the company was nowhere to be found. Luckily, Mr. Collingwood, who was sent over by the victims to conduct their cause, discovered the locus of one Henson, the secretary, and the said Henson was accordingly brought before Alderman Finnis on the 15th instant, on a charge of obtaining the passage-money by means of false representations. We do not wish to prejudge the case, which was adjourned by the Alderman for a week; but it seems quite certain that a fraud has been committed, although it does not very clearly appear who is the culprit. Whether a *company* ever existed at all seems extremely doubtful; and it is confidently stated, and apparently not denied, that several influential persons were placed on the direction entirely without their consent or knowledge. It appears that the names of a well known and respectable firm of solicitors was inserted in the prospectus, and that they acted for some time on the faith that the gentlemen whose names were published as directors were really so. It should however, always be borne in mind, that the public naturally look to the solicitors themselves for a guarantee that all the proceedings of an inchoate company will be proper and well regulated in all legal respects. So that even in the case of companies solicitors should always be careful to know who are their clients, and whom they represent.

A letter from Mr. J. G. Hubbard, of Birchin-lane, published in the *Times* of the 16th inst., may be useful to all who have the honour of contributing to the revenues of the country by paying income tax on fluctuating profits. It is, of course, well known that when a man's income is not fixed he pays on an average of the last three years. Thus if he pays for the year 1861-2 and he has to calculate the average of his yearly profits during the years 1858-9, 1859-60, 1860-1, and to pay the poundage on the sum thus ascertained. But it may well happen that when he closes his accounts for 1861-2 he may find that the actual amount of his profits has fallen short of the sum thus calculated, and in that case, on proving the circumstances to the satisfaction of the commissioners, he is entitled to recover the tax paid in respect of the difference. Mr. Hubbard seems to think that this provision is not generally known in the mercantile world; and he gives a form of application, which, having been successful in his case, is worthy of a place in future text-books on property and income tax. The applicant is supposed to have paid on £12,000, and he writes as follows:—"I annex a copy of the debtor and creditor account of my profit and loss under schedule D, for the year 1861, from which you will perceive that my business for the year ending —— last resulted in a profit of £4,000 (*or* in a loss). I will thank you, therefore, to repay me the tax on £8,000 (*or* on £12,000), being the abatement to which I am entitled by the 133rd clause of the Act 5th and 6th Vict. c. 35."

The rights of the Crown to shores and other rather vague and undefined places and things must always be a source of some doubt and litigation whenever an adverse claim is set up. In the Welsh case of *Attorney-General* v. *Jones*, tried at Chester on the 14th inst., the jury found a verdict adverse to the claim of the Crown though on what ground we are unfortunately left unir formed by the daily press. The Crown in England ha doubtless a primâ facie right to shores,—*i.e.*, to the land between high and low water marks; but in the case in question it was contended that there had been a grant from the Crown to the Manor of Cemmaes in the time of James I., and moreover the the disputed land was not subject to the English law, but to the code of Howell Dha, a Cambrian legislator of the 10th century or thereabouts. The defendant in the action was not the lord of the manor, but a person of the name of Jones who claimed the freehold, and the verdict was given for the defendant in question. Unfortunately the report is so scanty that we do not even know how the property was supposed to

* 27 Hen. 8, c. 26, s. 2.

have passed from the lord of the manor to Mr. Jones, although this must have been part of Mr. Jones's case, since his counsel insisted on the grant to the manor with the view of upsetting the claim of the Crown. The most tantalising part of the case, however, is that relating to the laws of Howell Dha, under which, we are told, the manors of Wales go down to low water mark. We have heard of Brenon law in Ireland, Lynch law in America, and a good many other local laws elsewhere, and we are aware of the leniency with which the English system of jurisprudence always treats the institutions of conquered kingdoms. We find, however, in the statutes at large, that the laws of this realm of England, and "none other laws, ordinances, ne statutes," were to be used in Wales and every part thereof after the first day of November, 1535;* and this enactment, as it seems to us, must seriously militate against the claims of Howell "the Good" to the allegiance of his Celtic adherents.

A RETURN OF THE NUMBER of cases of alleged lunatics who have been reported to the Lord Chancellor to be insane and incapable of managing their property, by a Master in Lunacy, after an inquiry without a jury, under the 16 & 17 Vict., has recently been printed by order of the House of Commons. It gives the age and sex of each alleged lunatic, but does not show how many were reported as mentally incapable to form any judgment as to their trial or otherwise, according to the form originally moved for by Mr. Butt, nor how many recovered since the inquiry, or how many signified their assent through or were assisted by their own solicitors; but as far as the incomes of the alleged lunatics have been ascertained they are stated. The total number of all these cases is 555. 67 of the persons so found incapable died before the amount of their incomes was ascertained. In many instances the income was very small—considerably less than £100 per annum. The number of lunatics reported by the Masters to the Lord Chancellor under the Act 8 & 9 Vict. c. 100, s. 95, has been 71.

WE BELIEVE THAT A PHOTOGRAPHER is allowed by law to catch a man's likeness by stealth if he thinks proper, and we doubt whether people ever thought of filing a bill against Mr George Cruikshank for taking down their features on his own thumb nail. So it must be with the incidents of a man's life, which anybody is undoubtedly free to record, so long as he can get at the facts by fair means, and can steer clear of libel and defamation in relating them. Nevertheless it must be extremely irritating to a living man to have his biography written without leave by a stranger, and when that stranger writes to him for letters and other information, he is paying him an attention which must have a decidedly obtrusive appearance. A paragraph has been going the round of the papers, in which it is stated that a clergyman of the name of Shutte, rector of St. Mary's, Exeter, having made up his mind to publish a life of that distinguished prelate, Henry of Exeter, coolly wrote to ask his lordship to furnish him with all his letters written between 1813 and 1858. The bishop's answer was just what might be expected; it consisted, in fact, of a peremptory refusal. In spite of this rebuff, Mr. Shutte, with his publishers, Messrs. Saunders & Otley, persisted in their hardy attempt, and declared their intention of dispensing with letters they could not get, and making the most of what they had. What was to be done? The bishop was conscious that he could not forbid the publication of plain facts, however unseemly and impertinent such publication might be. But if the book could not be actually quashed it might perhaps be maimed and cut to pieces by the excerption of all the bishop's letters, just as a Polish newspaper is bereft of its political interest by the scissors of a Muscovite censor. Accordingly, the bishop has filed a bill, praying for an injunction to restrain this league of book-mongers from publishing letters written by him, and to compel them to give up all such letters to the plaintiff himself. We believe that the courts of equity have jurisdiction to grant at least the first part of the prayer; and we are glad that Messrs. Saunders & Otley and their clerical friend have fallen into the hands of a man of such mettle as the Bishop of Exeter, for we feel certain that no pains will be spared to resist an impertinence for which the money-getting spirit of the day can scarcely furnish an excuse or a parallel.

A CORRESPONDENT OF THE "GUARDIAN" writes a most warlike letter in which he says that "in the next election the battle of the Church will be fought." Without either acknowledging or disputing this position, we cannot help looking upon the subject of the letter with a certain amount of interest. Mr. Walters, (the correspondent in question) calls the attention of the *Guardian* and its readers to the fact that most Dissenting Ministers are not appointed for life, and consequently are not freeholders in right of their chapels &c., and that, consequently, by a recent decision, it has been settled that they have not a right to vote. He therefore calls upon all true Churchmen to come forward and oppose any votes that may be improperly claimed, and reminds us that very few Dissenting Chapels are endowed, and that consequently very few of the claims can bear looking into. We are not aware what may be the number of Dissenting Ministers in England at the present date, but by certain tables founded on the census returns of 1851 we find that there were at that time in England and Wales' no less than 17,105 separate places of worship, exclusive of 13,854 which belonged to the Church of England. Probably all these may not have distinct and separate ministers, and perhaps all ministers who have a separate chapel of their own may not have claimed a vote. It is a remarkable fact, however, that the Dissenting places of worship actually exceed in number those of the Church of England, and we do not wonder at the writer's reckoning the votes (which would appear to have been allowed without opposition until the decision above alluded to) at some thousands, and calling upon all who agree with him on Church matters to exert themselves to the utmost in procuring the removal of such votes as have been illegally registered. He states that the last day for leaving objections with overseers to county electors, is the 20th instant, and the last day for service on overseers of objections to borough electors, the 25th instant. We have nothing to do with the particular motives which spur this gallant champion to action, and we do not purpose to enter into questions of politics or of religious controversy; but there is no doubt that the law ought to be respected; and if several thousands of votes have been obtained by a class of men who are not legally entitled to the suffrage, we have no doubt the matter will not be overlooked by those political lawyers throughout the country whose duty it is to attend to such questions.

AT THE LIVERPOOL ASSIZES, on yesterday week, Mr. Baron Wilde, before the Crown trials commenced, complained that some depositions which had been prepared by Mr. Driffield, county coroner, were so badly written as to be quite illegible. His Lordship remarked that negligence of this kind amounted to a contempt of court, as it interfered with the operations of justice. He therefore fined Mr. Driffield £10, and said if the offence were repeated a much heavier penalty would be imposed. Mr. Driffield regretted that his Lordship should have had any cause of complaint; he had written the depositions "in his usual manner," and had never heard of difficulties having been before experienced with his manuscript. The judge advised Mr. Driffield to consult with the Clerk of Assize, who would explain the form and style which should characterise depositions intended to be of use to the Court.

A MEETING OF THE English and Irish Common Law

and Chancery Commission was held at the Four Courts, Dublin, on Friday, the 15th instant. Present—The Chief Justice of the Common Pleas, Right Hon. Abraham Brewster, Hon. Baron Hughes, the Irish Solicitor-General, and W. Neilson Hancock, LL.D., secretary.

The "Gazette" of Tuesday contains the official announcement that the Queen has been pleased to direct letters patent to be passed under the Great Seal of the United Kingdom, constituting and appointing Brent Spencer Follett, Esq., one of her Majesty's counsel learned in the law, Registrar of the Office of Land Registry, by virtue of an act passed in the last session of parliament, intituled "An Act to facilitate the proof of Title to and the conveyance of Real Estates."

Francesco Fiteni, Esq., LL.D, has been appointed one of Her Majesty's Judges for the Island of Malta.

Dr. Robert Phillimore, the author of the Commentaries on International Law, has been appointed Queen's Advocate in the room of Sir John Harding, recently resigned.

It is stated that Mr. William Bell, one of the official assignees of the Court of Bankruptcy, and successor to the late Mr. George Lackington, has resigned his appointment.

JURISDICTION OVER THE BAR.

Before Parliament rose Sir G. Bowyer introduced his new bill, in which he proposes that the Benchers of the several Inns of Court shall elect from among themselves a joint council of discipline, which shall have power to hear all complaints against barristers, and to suspend or disbar, and also to hear and decide appeals where the Benchers refuse to admit a student or call him to the bar. A further appeal is to lie to the judges; or the person to whom misconduct is imputed may, in the first instance, elect to be heard by the judges. All hearings are to be in open court unless all parties agree to a private hearing, and judgments are to state the reasons on which they are founded. Any accused person is to have a limited right of challenge, so as to meet such objections as Mr. Seymour urged against some of the Benchers who tried his case.

It will be observed that this new bill is of a very much less ambitious character than its predecessor. It proposes little more than the substitution of a court composed of benchers of the four inns, instead of those only belonging to the inn of which the accused is a member. This would be no doubt an improvement in some respects, and would prevent the great difference not only of practice but of *code* which now characterises the several inns. We have had occasion, more than once within the last year or two, to call attention to disreputable proceedings in which certain members of Gray's Inn were mixed up; and in one case the only marvel was how such a person as appeared in a public trial to be on the books of that honourable and ancient society, as a student, could ever have got there. It was subsequently rumoured that the benchers had instituted an inquiry into that case, but its result was never published, and for aught known to the general public, or even the profession, he may still be a recognised candidate for the honours and emoluments of the "higher branch" of the profession. There is not much room for doubt that if the same case had been brought under the notice of the benchers of Lincoln's Inn or the Inner Temple, it would have been more satisfactorily handled, and that some means would have been adopted for making known the result of the inquiry. Indeed, it would have been very difficult for any person with such antecedents as the individual in question to have obtained admission into any other Inn of Court than Gray's Inn; and although Sir G. Bowyer's Bill does not propose any new arrangement for the admission of students to the bar, and therefore each inn of court may be as particular or as careless as it pleases in this respect, yet some benefit would probably result from the fact that there was one common tribunal for hearing and determining all cases in which any charge was made against a barrister.

It is certainly very anomalous that the position and fate of the accused should so much depend, as it does at present, upon the mere accident of his belonging to a particular inn of court. Sir G. Bowyer's measure would at all events introduce a wholesome uniformity in this respect, and it would moreover indirectly have the effect of making the several inns more cautious in the admission of members; as the benchers would be always liable to be called to account by the proposed General Council of all the Inns, if any question afterwards arose as to the fitness of such persons to remain members of the bar. Sir G. Bowyer appears to have relinquished the notion of introducing the representative principle into the election of benchers At present the benchers of all the four inns are self-elected—that is, the existing members elect whom they please—generally, but not necessarily or always, from amongst the Queen's counsel. Neither is every bencher a Queen's counsel, nor is every Queen's counsel a bencher. The whole matter of the election is very arbitrary; and neither the composition nor the conduct of these bodies is understood to be by any means satisfactory to the general body of the bar.

It may also be urged that solicitors have some right to complain that the way of obtaining any redress in respect of improper or unprofessional conduct on the part of a barrister is very unsettled and unsatisfactory; but, of course, they have hardly any right to complain of the exclusion of the bar itself generally from its own governing body, except so far as such exclusion is found to operate prejudicially to either branch of the profession. But each branch has, at all events, to some extent an interest in the well-being of the other, and solicitors have a right to be assured that no unfit person is allowed to assume or to wear a long robe and to act as an advocate; and they are further entitled to know the grounds and the procedure, as well as the result, of any investigation into charges brought against members of the bar. The question of representation, however, is one mainly for the bar itself. If it is content to be governed by self-elected "parliaments," solicitors can hardly complain.

It is curious to observe, that notwithstanding all the outcry that has of late been made about the extinction of liberty in France, the French bar has the right of electing its council or governing body. It is elected annually; and although, almost as a matter of course, the former batonniers and other leading members are re-elected from year to year, there is at present a movement going on in Paris, which seeks to have a rule passed to render one-third of the council every year ineligible for re-election. This year the Paris bar have broken through the old list, and have elected five members who were never in the council before.

Sir G. Bowyer, will have leisure during the recess to consider this question of representation, and we think that he will very much improve his bill if he would introduce some provision for conferring upon the English Bar such powers and privileges as their French brethren have in this respect.

CLASSIFICATION OF CRIME.

"It frequently happens," says a contributor to the "Papers," of the Juridical Society, "that the needful alterations in the laws of a state are long postponed in consequence of wars or internal commotions, or are impeded by prejudices, interests, or other political or social causes,

until, when at length the accumulated evils, from delay, have grown beyond endurance, so that reform can be deferred no longer, it is found that the legislative work of several generations must be crowded into one. Through such a period has England been now passing for more than a quarter of a century, during which many and great improvements have been effected in her legal system."* Since the above lines were written a bold effort has been made to arrange and simplify our law respecting criminal matters; and it is to be hoped that under the Criminal Law Consolidation and Amendment Acts, of the 24 & 25 Vict., the administration of this part of our jurisprudence will not be open to all the imputations which formerly assailed it. The gradual manner in which this branch of English law grew up, the offspring partly of tradition and partly of legislative enactment, entailed as a natural result that it should be unsystematic in arrangement, vague in definition, and faulty in division. The question whether it would have been better to make a clean sweep and to supersede the complex structure by a simple and inexorable code is one that has often been debated, but it is too weighty and complex a subject for us to deal with in the few observations which we propose to make at present. We may congratulate ourselves that a first step has been made towards the formation of a more clear and definite system, by the arrangement within the compass of one volume of the scattered fragments of our discursive legislation. The most casual observer must be struck, even at first sight, by some of the anomalies and blunders of the old system. If it *worked* tolerably as a whole it was because it was usually executed by men of discretion and ability, and because it found for itself a remedy from time to time by the machinery of some repeal or amendment. The Statute Book had, however, become so crowded with enactments of this kind, that it was a matter of extreme difficulty to the lawyer or student to explore the enormous field that was thrown open to his inquiry with the view of finding out the precise spot which he required. The division of crimes into treasons, felonies, and misdemeanours, would have been a natural and proper one, as, indeed, might have been a division into any three classes, whatever their technical names, if the classes themselves had been clearly defined. This, however, was by no means the case, and the effort to define any one of the above-mentioned categories altogether baffled logical skill, and degenerated into a mere enumeration of the offences classed under each head. Again, it was utterly impossible to determine the probable extent of the punishment by ascertaining under which of the three categories the crime was properly to be reckoned. Mr. Fitzjames Stephen,† points out that a man who fired a pistol at the Queen might by that single act attain the enviable position of being traitor, felon, and misdemeanant all at once; that he might be hanged, drawn, and quartered under two several Acts of Parliament; that by another he might be transported for life, or not less than seven years, or imprisoned for not more than two years with or without hard labour; and lastly, that under 5 & 6 Vict. c. 51, he might be convicted for a misdemeanour, and transported for seven years, imprisoned or whipped not more than thrice. The following passage illustrates in a striking manner the want of correlation between the grades of punishment and the divisions of crime. In speaking of the inferior class of offences Mr. Stephen observes that "men have been impeached for misdemeanours; they have been burnt alive for misdemeanours; they have been sentenced to enormous fines, deprivation of civil rights, and prolonged imprisonments for misdemeanours; some offences of this class are reserved for the jurisdiction of the highest courts in the realm; and there are others for which a man is fined five shillings at a police court."

The method of alternative punishment at the discretion of the judge was thoroughly incorporated into the ancient system, and the comments on this subject contained in the seventh report of the Criminal Law Commissioners are well worthy of perusal. We can only say here that the rules on this point seem to have been capricious almost beyond belief; that the maximum and minimum varied to an extent apparently entirely irrespective of the magnitude of the crime; and that in many cases, without any apparent reason, a minimum was omitted altogether. As an instance of the noxious exercise of the discretion thus given, Mr. Stephen tells us that he has heard one boy sentenced to six months' hard labour for snatching a watch from a gentleman's pocket, and, shortly afterwards another boy sentenced to six years' penal servitude for snatching a purse out of a lady's hand!

The paper to which we have so frequently referred is not a complete and methodical treatise, nor even a careful and well-digested essay. It is useful, however, as pointing out some of the most remarkable anomalies of our criminal legislation. It is quite certain that in spite of the Consolidation and Amendment Acts a good many of these anomalies remain, and that as regards the subject of alternative punishment and discretion there is at this moment vast room for improvement. We would not wish the Legislature to lay down iron rules for punishment; but there is a limit beyond which the discretion even of the ablest men should not be allowed to wander. The comments of some of the daily papers on the sentence of three month's imprisonment lately passed on John Waine for having caused the death of his father may have struck some of our readers as not being entirely uncalled for, and there can be no doubt that a thousand less heinous offences have a thousand times been more severely punished. Perhaps other instances quite as surprising might be found; but we wish, as legal journalists, to deal with the future rather than with the past, and to point out errors of principle rather than to erect ourselves as censors of men. What will our readers think when we tell them that if Mr. Roupell should be convicted of forging a will with intent to defraud, the judge will have discretion either to imprison him for the shortest possible period without hard labour or solitary confinement, or (omitting the numerous intermediate stages) to award to him the dreadful penalty of penal servitude for life?

It is impossible not to be struck, in reading the chronicles of the Central Criminal and the Country Assize Courts, with the marvellous difference of the punishments inflicted for crimes not only of the same generic character, but even of the same special features. It appears to us, therefore, that there should be at least a better classification of punishments—in other words, that less should be left to the discretion of judges in this respect than is at present.

CONSOLIDATION OF THE LAW OF COPYRIGHT.

The New Copyright Act.

No. VII.

(By Edward Lloyd, Esq., Barrister-at-Law.)

We now come to a second, but not less important division of the Act, which is intended to reach certain frauds long known to persons engaged in dealing with works of art, I mean the affixing false names or initials to pictures so as to deceive ignorant or unwary purchasers into the belief that they are buying a valuable original. A recent case has, amongst other well-known instances, shown how necessary is some stringent provision against such frauds. This was the prosecution of a picture dealer for an alleged forgery in selling a picture with an imitation of a painter's signature, *Reg*

* "Codification of the Laws of England," by W. M. Best, Esq.; Papers read before the Juridical Society, August, 1856.

† Paper on Classification and Definition of Crime. *Ibid.*

v. *Closs*, 1 Dears. & B. 460. Some of my readers may remember that a similar attempt was made in the case of a spurious trade-mark, *Reg.* v. *J. Smith*, 1 Dears. & B. 566. In each case the verdict was not sustained.

In the case of the picture, the prisoner who had been acquitted by the jury on the counts charging him with obtaining money by false pretences, was found guilty by them on counts charging him with knowingly keeping a copy of a certain picture having the name of the artist Linnell forged upon it, and also with selling the same, and so fraudulently obtaining money by means of such forgery. It was, however, clearly laid down by the Court that a forgery must be of some document or writing, and that an indictment could not be sustained for the forgery of an arbitrary mark. But there are now four distinct offences defined by the Act, for which the penalties are to be a forfeiture of a sum not exceeding £10, or not exceeding double the full price of the piratical work, or of all such piratical works themselves. The offences are, fraudulently signing any name, initials, or monogram on a picture, &c.; fraudulently selling, publishing, or exhibiting a picture, &c., with such a false signature; uttering or disposing of a copy of a picture, &c., as having been made by the author of the original, whether there is a subsisting copyright in the original or not; and lastly, knowingly selling or publishing an altered work or a copy of it (the alterations having been made by some person other than the author) during the life of the author, as the unaltered work of such author. The penal part of this section, again, deserves some attention; it enacts that the pecuniary fine shall be forfeited to the person aggrieved, but that the piracies shall be forfeited to the person whose name, &c., is fraudulently affixed, and his assigns or legal representatives. Now a case of this sort may well arise: a picture is bought for the purpose of being engraved, and the purchaser, who is the publisher of the engravings, also buys the copyright; it would certainly seem that he would be rightly described as the "person aggrieved" by the sale or publication of a spurious copy of his picture fraudulently signed; so might also be the author of the picture, in respect of his reputation as an artist, though not in respect of any proprietary right. It seems, then, that the question must occur, have both, or one only, and which of these persons, a right of action, and are the penalties to be apportioned between them, as the wording of the Act would appear to designate? It must further be remarked that no penalties will be incurred under this section, unless the offence has been committed within twenty years after the death of the author of the picture, whose name, &c. is fraudulently used. But does it not seem a little inconsistent to enact that certain actions are fraudulent, and therefore not only *mala prohibita*, but *mala in se*, and yet that this shall not be punishable, except within a limited period of time? and is it not as much as to say that the fraud on the public shall go unpunished; though the author of a fraud on an author shall be mulcted for his benefit. On the remaining sections (8—12) there is but little to remark. These provide for the recovery of penalties, for the operation of the Courts upon an action for infringement of copyright, and prohibit the importation of piratical works; then comes the clause having the right of special action on the case for damages, and finally a clause including the provisions of the International Copyright Acts with the present Act.

Such is now the state of the law with regard to pictures, differing from that of engravings and of sculpture, in the terms by which the possession of the proprietary right is described, in the duration of the copyright, in the means of securing and tracing it, and, to a slight extent, in the definition of a piracy on it, and again in the penalties inflicted for such a piracy. We have to consider whether it would not be better that all these subjects should be governed by one rule, and which would be the best method of forming that rule.

The Courts.

JUDGES' CHAMBERS.

Aug. 19.—*Collins* v. *Watson.*—Mr. *Griffiths* appeared in support of a summons for the discharge of the defendant out of the custody of the sheriff of Northampton.

Mr. *Prentice* showed cause.

The case raised an important question under the 192nd section of the New Bankruptcy Act. A majority of creditors had signed a composition deed, and the same had been duly registered. It had, however, not been executed by the debtor. The plaintiff Collins had taken out a summons before Mr. Commissioner Holroyd to set aside the deed, but he decided that a non-assenting creditor had no *locus standi*, and as the deed had been registered it was valid. The plaintiff subsequently arrested the defendant, and he was now in prison at Northampton. Hence the present application.

Mr. Justice Willes, having considered the Act of Parliament, said he was of opinion that so far as the present application was concerned the deed was mere waste paper. He could not say, looking at the 192nd section, that three-fourths in number of creditors were to exclude all the rest from their rights. Besides, the requisition of the 192nd section had not been complied with. There was no assignment by the debtor nor any covenant to pay the composition.

He felt that under the Act he had no authority to discharge the defendant out of custody, nor did he see how the decision of Mr. Commissioner Holroyd, whose great experience enabled him better to understand the matter, could affect the question before him.

The summons was dismissed with costs.

The following letter has been addressed to the *Standard* by Messrs. Digby & Sharp, the plaintiff's attorneys in this case:—

Sir,—Allow us to correct your report of this case. When it was before Mr. Commissioner Holroyd his Honour declined to hear any argument respecting the validity of the deed, as the summons before him was only for examination of the debtor, though a supplementary notice had been given for annulling the certificate of registration.

The learned commissioner refused to order the debtor to be examined, as the applicant was not a party to the deed, but directed a copy to be supplied.

The deed in question was executed by the debtor and which, with the certificate of registration, was produced to Mr. Justice Willes yesterday, when plaintiff's counsel contended that as there was no assignment of property nor covenant by the debtor to pay the proposed composition it was in effect a deed simply on the part of those creditors who executed it, and his lordship so decided, dismissing with costs the debtor's application to be discharged out of custody.

From the learned judge's observations on the provisions of the Act, and specially requesting to hear what the debtor's counsel had to say respecting the 7th condition of the 192nd section, we inferred that his lordship was of opinion that mere composition deeds were not binding on any non-assenting creditor.

We are, Sir, your obedient servants,
Digby & Sharp, Plaintiff's Attorneys.
1, Circus-place, Finsbury-circus, E.C., August 20.

Recent Decisions.

EQUITY.

Incomplete Voluntary Gift.

In re Owen, Clayton v. *Owen*, M. R., 10 W. R. 770.

It was laid down in *Ellison* v. *Ellison*, 6 Ves. 656 (which is the leading case on the subject), and has not been questioned since that time, that the assistance of the Court cannot be had without consideration to constitute a party *cestui que trust*, as, for instance, upon a voluntary covenant to transfer stock. But, if the legal assignment is actually made, constituting the relation of trustee and *cestui que trust*, as if the stock is actually transferred, &c., even though it be without consideration, the equitable interest will be enforced. The application of these rules, however, is by no means free from difficulty. On the contrary, the Court is very frequently at a loss to determine whether the relation of trustee and *cestui que trust* has

or has not been established. Where there has been an actual transfer of the legal interest in property in favour of volunteers, it is clear that it will be enforced in equity against the grantor or his representatives or subsequent volunteers (*Colman* v. *Sarrel*, 3 Bro. C. C., 13, 14; *Denning* v. *Ware*, 22 Beav. 184), even although the trust property gets back into the hands of the donor. The only exception to this class of cases is where a legal transfer of property has been made to trustees for payment of the debts of the owner, without the knowledge or concurrence of his creditors. The principle on which property vested in trustees for the purpose of distribution among creditors is revocable—on the ground of its being a mere arrangement for the benefit of the settlor, and which he can, therefore, at any time revoke—does not apply as between the settlor and persons who are purely the objects of his bounty (*Paterson* v. *Murphy*, 11 Hare 88), nor to a case where the trust is to come into operation only on the death of its author. In such a case the settlor must *primâ facie* be understood to be dealing with his property as if he was disposing of it by will, and, therefore, as contemplating bounty throughout: *Synnot* v. *Thompson*, 5 H. L. Cas. 121, 139, 141.

Although there has been no actual transfer of the legal interest to trustees, yet, if the settlor has constituted himself a trustee for volunteers, the Court will enforce the trusts: *Ex parte Pye, Ex parte Dubost*, 18 Ves. 140, 145. In like manner, although the Court will not interfere in the case of a voluntary agreement to transfer stock, yet if the party has declared himself to be the trustee of that stock, the Court will act upon that declaration: *Airey* v. *Hall*, 2 Jur. N. S. 658. And a declaration by parol of the trusts of personal property will be sufficient: *McFadden* v. *Jenkyns*, 1 Ph. 153. The dictum, therefore, attributed to Lord Cranworth, C., in *Scales* v. *Maude*, 6 De G. M. & G. 31, to the effect that a mere declaration of trust by the owner of property in favour of a volunteer is inoperative, and that the Court will not interfere in such a case is opposed to the general current authority: *vide Frampton* v. *Frampton*, 4 Beav. 287; *James* v. *Bydder*, 4 Beav. 605. Where, indeed, there is a declaration of trust merely by parol, if the case be one of doubt, the Court will give weight to the consideration that the words not being committed to writing may not be the deliberately expressed sentiments of the party: *Dipple* v. *Corles*, 11 Hare 183, and *vide Paterson* v. *Murphy*, *ubi sup.* 91, 92. A mere expression of an intention to divide property with others, however, will certainly not be held to amount to a declaration of trust, but will, like a mere promise to give, not be enforced in equity: *Dipple* v. *Corles*, *ubi sup.* On the other hand, a declaration of trust by the equitable owner of a *chose in action* vested in trustees, will be carried into effect by the Court: *Collinson* v. *Patrick*, 2 R. & My. 344. Upon the same principle, if the equitable owner of property vested in trustees assigns it to them, or directs them to apply it upon trusts declared in favour of volunteers, and the trustees accept the trusts, and act upon them, the Court will enforce them: *Rycroft* v. *Christy*, 3 Beav. 238.

The later authorities favour the view that it is not essential to the validity of the creation of a trust by the beneficial owner of property that there should be an acceptance or declaration of the trusts by the trustees in whom the legal interest is vested: *Tierney* v. *Wood*, 19 Beav. 330. Those cases in which the settlor has constituted himself a trustee for volunteers is, however, to be carefully distinguished from another class of cases, in which a person has ineffectually attempted by an imperfect gift to confer the whole interest upon volunteers, or trustees for their benefit. For it is beyond all dispute, that the most clear intention to confer an interest will be insufficient to create a trust in favour of a volunteer. The leading case on this head is *Antrobus* v. *Smith*, 12 Ves. 39. But assignments both of equitable and legal *choses in action*, although nothing passes thereby at law, have been held binding in favour of volunteers when the assignor has done all in his power to render the assignment complete: *vide Sloane* v. *Cadogan*, Sug. V. & P. App. n. 24, 11th ed.

In *Fortescue* v. *Barnett*, 3 My. & K. 36, a voluntary assignment by deed of a policy of assurance was held to be complete without delivery of the deed or notice of the assignment being given to the assurance office. The question in all these cases does not turn upon any distinction between a legal and an equitable title, but simply upon whether any act remained to be done by the grantor, which, to assist a volunteer, the Court would not compel him to do. For this reason the assignment of a debt to a volunteer has been held binding, although nothing passed at law: *Blakely* v. *Brady*, 2 Dru. & Walsh, 311. Upon this point, however, there has been a great conflict of judicial authority. The remarks of Lord Langdale in *Ward* v. *Audland*, 8 Beav. 201, seem to be inconsistent with the decisions in the last two cases cited. His Honour in that case considered that a "voluntary assignment of a policy of assurance retained in the hands of the assignor, and without notice given to the grantor, though accompanied by a covenant for further assurance" was not a complete and effectual assignment. Sir J. Wigram, V.C., also (1 Hare 477) was of opinion that such an assignment was not better than a covenant or agreement to assign: see *Meek* v. *Kettlewell*, 1 Hare 464. The case of *Kekewich* v. *Manning*, 1 De G. M. & G. 176, is, however, opposed to these dicta. The present case, tends, we think, to throw light on this very intricate question. In it the money payable on a policy of assurance was agreed to be paid on the death of A., the assured, to B., his nominee. A. paid the premiums during his life. This, it appears, amounted to a complete gift in favour of B., enforceable, after the death of A., against his creditors. We think there can be no doubt that this position is correct. There was a complete declaration of trust in favour of B., and this is quite as efficacious as a complete legal transfer. That the period of payment was postponed till after the death of the grantor cannot affect the question. The law on this head is not, in itself, now unsettled, especially since the decision in *Kekewich* v. *Manning*, *ubi sup.*; but the facts requiring its application being *ex concessis* open to the objection of incompleteness, necessarily lead to difficulty in the adjustment of their legal bearings.

COMMON LAW.

Permission to Use Way—Negligence.

Gallagher v. *Humphery*, Q. B., 10 W. R. 664.

Negligence consists in the omitting to do something that a reasonable man would do, or the doing something that a reasonable man would not do, and in either case unintentionally causing an injury to a third person. In the present case the Court of Queen's Bench allowed an action against the owner of the soil, for an injury occasioned by the servants of such owner to a person who had free permission to go over the land where the injury arose, although had no negligence been proved to have taken place the injured party could have had no remedy. The rule seems well established that where leave is given by the owner to a portion of the public to use a road, without any revocation of such leave, it is not competent for such owner, by placing an obstuction even on his own road, to endanger the lives of those who have obtained permission to use the road. There may, however, be a public dedication of a road, or even a private permission to use it, subject to some qualification, as for example, as was said by Crompton, J., in the present case, "subject to the danger arising from a stone step or a projecting house;" and in such cases the public or the individual using the way, can only have the right to use it, subject to such qualification—at the same time they are not to be rendered liable to danger or injury through the carelessness or negligence of the owner, and if not the owner, certainly not his servants.

The application of the above principles do not apply where the injury arises from the ordinary state of the premises or from the usual method of carrying on the business, over which the injured individual had free right and permission to pass, because the owner of the land need not do more than take ordinary care or allow such right of using the premises as exists at the time.

Where the party injured is a trespasser, it seems that he is not by that means debarred from the right of action, where negligence is proved to have taken place; for although such trespasser is liable to an action for the injury he does by such trespass, still he does not thereby forfeit his right to recover for an injury sustained. Thus, in *Bird* v. *Holbrook*, 4 Bing. 628, the plaintiff was a trespasser, but he was held entitled to an action for injury sustained in consequence of the wrongful act of the defendant, although, in fact, the injury could not have occurred had not the plaintiff trespassed on the defendant's land (see *Hardcastle* v. *South Yorkshire Railway Company*, 4 H. & N. 67, & *Barnes* v. *Ward*, 9 C. B. 302.)

It has been decided, perhaps for reasons of supposed convenience more than upon any known principle of law, that the master is liable for the acts of his servant, not only in cases of contract, which depend on different considerations, but also in other cases, such as negligent driving in the streets, &c., &c. And this responsibility has the law put upon the master, in order that he should take special care that no injury should result through the negligence of the persons employed by him, as well as to compensate the injured party for the damage occasioned by such want of care. This liability on the part of the master proceeds upon the well known maxim of law—*qui*

facit per alium, facit per se; and the true test whether in fact such relationship is established between the parties is to enquire whether the employer has any control over the person employed; because it is obvious that in cases where the employer has not such power, but the employed agrees to work and the mode of working is under his own control, then the relationship between them is that of employer and contractor, and the former is not liable for acts done by the latter *not* in accordance with his contract.

Correspondence.

Register of Bills of Sale.

Permit me to call your attention to the disgraceful and inconvenient state of the Register of Bills of Sale.

The Act has been in operation for many years, and yet no lexicographical register has been made, and the register in existence is not even arranged as the Register of Judgments at the Common Pleas office

The result, consequent on the multitude of bills of sales, is that even now, to search the register for one name, frequently takes from three to four hours.

Pray use your influence to get this rectified, and to get the bills of sales registered as the judgments at the Common Pleas, or the deeds at the Middlesex registry.

The evil increases every day; and as the Act makes no limit to the search, the register in a few years, if permitted to remain in its present form, will be almost unsearchable, and a bill of sale past finding out.

The officials, who most readily render every assistance, say they are powerless to remedy even so trivial a matter.

I should think if the inconvenience and annoyance occasioned to our profession were represented to the Lord Chief Justice, he would soon provide a remedy.

Subscriber.

Lincoln's Inn Fields, Aug. 19, 1862.

Ireland.

A singular application was made on Monday last to Mr. Justice Fitzgerald, in chambers. It raises a nice question on the right of imprisoning a debtor. Henry Everard was arrested for debt. He stated that a friend in Kingstown would assist him to settle the claim. He was permitted to go to Kingstown in custody of two bailiffs. When there, he asserted that he was beyond the jurisdiction of the Court under which they acted, being in the county, and that they had consequently no right to detain him. But they brought him back to Dublin, and lodged him in the Marshalsea prison. He now applies for a writ of *habeas corpus*, on the ground that the imprisonment was illegal. The case was adjourned until the Crown officers looked into the records of the Court, to see if there was any case of *habeas corpus* when the prisoner was in custody for debt.

Colonial Tribunals and Jurisprudence.

INDIA.

We extract from the Calcutta correspondence of the *Times* the following interesting communication relating to the recent changes in our Indian judicature:—

"On the 30th of June last the Supreme Court of Calcutta ceased to exist. This tribunal, rendered notorious to readers of Macaulay by the name of Sir Elijah Impey, and famous by the learning and high character of Sir William Jones, has for nearly ninety years continued not only to administer purely English justice with strict impartiality, no little ability, and much dignity, but has ever been looked upon by the Englishman in India as the great defender of his rights, political as well as legal. Not less popular has it been with the native litigants, who strove to bring themselves within its jurisdiction, offering, as it did, a marked contrast, in the quality of the justice meted out, to the purely civilian courts in the interior, where the goddess of chance, rather than of justice, held the balances. On the same day the Sudder Dewanny Adawlut, or great appellate court from the Company's courts throughout Bengal, also expired. When I say that its judges were men who knew nothing of any law but 'Company's regulations,' that, with a few exceptions, it has always been the sober truth that the civilians who were unfit for anything else were made judges of the Civil and Sessions Courts, and that the most competent men invariably preferred any appointment rather than that of a Sudder judge, you will have some idea of the character of the appellate tribunal for a hundred millions of people. It has ever been the by-word of the natives, and alternately the object of the ridicule and indignation of the Europeans. Its unwillingness to convict on the clearest evidence in criminal appeals has largely added to crime throughout the country; and to its ever conflicting decisions, now reversing, now confirming the acts of the lower courts, do we owe it in a large measure that in the Regulation Provinces we have never given justice to the people. We have sold what professes to be justice through the native underlings of our courts, and having denied all other careers to the wealthy natives, we have given them a grand arena on which they may play the game of litigation. In a free country no institution could have so long survived the criticism of laughter, remonstrance, contempt, and denunciation through which the Sudder Court has lived for a century.

"Yet an Act of Parliament passed last year fuses these two courts into one—the popular and the unpopular, the competent and the incompetent. On the 1st of July, Sir Barnes Peacock, the Chief Justice, four barrister judges, and seven civillian judges, or thirteen in all, were sworn in as judges of what is henceforth to be known as "the High Court of Judicature at Fort William in Bengal." Much as the English public really surrender by giving up their Supreme Court, it is remarkable that there has been so little hostile criticism on the measure. The truth is that the Europeans see in it an attempt to extend to their native fellow-subjects the same blessings of justice which they themselves enjoy, and to secure this they are willing to surrender something. To the Europeans the loss consists in the transfer of legislation regarding their rights from Parliament to the Governor-General's Legislative Council, which might attempt in a moment of sentimentalism to make them in criminal matters amenable to native judges. Moreover, the civil procedure of the Calcutta Court will henceforth be that of the Company's Courts, as passed into law in 1859. The result of this will be, barristers say, to make all civil, and certainly all equity suits, much more expensive, dilatory, and unsatisfactory than hitherto. And, lastly, as the barrister judges are not henceforth to be knighted, and are to receive only £5,000 a year, we shall probably secure an inferior class of men. But, on the other hand, it must be remembered that the charter which constitutes the High Court is confessedly temporary, and will be amended in three years; that local legislation may introduce many improvements where they are needed; that Sir Barnes Peacock will preside in the Appellate Court, and a barrister be associated with a civilian judge in important cases; that the High Court has power not only to bring any case before it from the inferior court, but to depute a judge or judges to local courts where abuses may exist; that all the courts in the country will be subject to rules and orders passed by the Chief Justice under the Governor-General; and that the judges will go on circuit to hold assizes at the chief cities, as in England. In the course of time the result of this must be immensely to improve the judges and the justice of the subordinate tribunals.

"Practically, for a time, the change in the courts will not be apparent. In the Supreme Court building, which is close to Government-house, in the centre of English Calcutta, all original suits will be brought; the criminal procedure will be untouched, the admiralty and intestate jurisdiction will remain, and an Act will be passed by the Council, establishing a Court of Divorce and Matrimonial Causes like Sir Cresswell Cresswell's. The charter does not affect the existing powers of the Insolvent and Small Cause Courts. On the Supreme Court side, barrister judges will preside, and only barristers will plead as hitherto. In the old Sudder building, which is just outside the Calcutta "ditch" three miles away, the Appellate Court, under Sir B. Peacock, and with two of the barrister judges, will sit. There 'vakeels' will plead as hitherto. These vakeels are men who have passed a special examination in Company's law and the language of the Court, and often make enormous fortunes. The ablest of them, Baloo Ramaprosad Roy, who is likely to be a native judge in the court, made, I am credibly informed, £15,000 in one month—a sum occasionally made by the late Advocate-General, Mr. Ritchie. But both attorneys and barristers may and do act as vakeels without any examination, and this privilege will be continued. Except in arrears, which the civilian judges are to wipe off—and they are enormous—English will be the language of the

Court whenever a barrister judge sits. The Sudder Court at Agra, for the North-Western Provinces, which has enjoyed a slightly better character than the Bengal tribunal, remains meanwhile in existence. On the whole, while Englishmen have sacrificed something, the great good to be bestowed on so many millions of people is worth far more than the sacrifice.

A correspondent of another morning journal, writing on the same subject, says:—

"The most extraordinary act of the Secretary of State has been the sudden revolution which he has caused in the law courts in this country. You are aware that an Act of Parliament was made last year authorising her Majesty, by letters patent, to amalgamate the Supreme and Sudder Courts, so as to infuse something like a legal element into the Sudder Court, which had been the court of appeal for all cases in the Mofussil Courts. The intention of the Legislature was to assimilate the (so called) Company's courts to the (so called) Queen's courts.

"The letters patent were prepared at home, and no draft of them was shown to the judges here previous to the same having the sign manual affixed. The first authentic copy received by the Chief Justice here was the signed charter itself, which arrived on the morning of the 30th of June. On its arrival here the old courts were at once abolished, and no new ones were in existence to take their place; so that this great commercial community was placed in the extraordinary position of having no court to which an application could be made to restrain waste or issue process of any description. By the extraordinary exertions of the judges, the new court is now established, but as yet we are all at sea. The members of Parliament who took a part in the discussions on the bill will be astonished to hear that by the letters patent the simple and speedy procedure of the Supreme Court has been abolished, and the procedure of the Mofussil or Company's courts (a system entailing immense expense upon the suitors, and one open to every objection on the ground of facilities for appeal and delay) has been substituted. In addition to this, an appeal is to lie to the appellate branch of the High Court from every decision of the barrister-judges who are to form the Court of First Instance, sitting in Calcutta—a court which will be constituted, like the old Supreme Court, with an absurd code of procedure. Formerly no appeal lay from that Court save to the Privy Council, and then only in cases in value equal to 10,000 rupees. It would be well if some one would move the House for a copy of Sir Charles Wood's dispatch to Lord Elgin accompanying the charter, in which that gentleman gives his ideas as to the way in which the charter should be worked. Were it not that we have a Chief Justice—a man of untiring energy, perseverance, and skill—in Sir Barnes Peacock, it is impossible to say how many months would elapse before something like order would be restored in such an extraordinary state of confusion.

AUSTRALIA.

Melbourne.—The *Times* correspondent, in reviewing several measures brought before the provincial Legislature, thus refers to the Real Property Bill, which is almost a copy of Mr. Torrens's South Australian Real Property Acts. "It revolutionises," he says, "the whole system of conveyancing, which, in fact, it virtually abolishes, substituting a registration of the very title itself. This measure was forced upon the House by pressure from without. Even the efforts of professional men to improve certain clauses were rejected without discussion, and "the bill, the whole bill, and nothing but the bill," was carried through committee practically without discussion. This measure owes its popularity to the grievous expense of the ordinary conveyance, and the necessary investigation of title in the case of small properties. We have, in all these colonies, a very large number of people owning very small lots of land. There is a great disposition to invest small savings in land, both in town and country, and the cost of the conveyance under the old system operated almost as a prohibition. To this numerous class the measure can hardly fail to be beneficial, and if it should be found not to work well when applied to the more complicated dealings of the wealthy, I see no reason why it should not be capable of amendments. Still, even the experience of South Australia is scarcely sufficient to take it out of the category of experimental legislation.

Last year there were 21,038 inquests held in England and Wales, of which 14,711 were on males, and 6,327 on females. The cost of the inquests was £65,249 15s.

Foreign Tribunals and Jurisprudence.

GERMANY.

Uniform jurisdiction for all Germans had been proposed by the Vienna Conference. The following are the prominent features:—The great German tribunal will have to decide between—1. The members of the German Bund in all cases; 2. Between members of the reigning German families on questions of inheritance, regentship, competency, and tutorship; 3. Between the Government and separate corporations or classes; 4. Between the Government and the respective Diets in all misunderstandings about constitutional and other differences, which cannot be settled otherwise, such decision being binding while the constitution itself is not altered. The competency of the common judicature of the Bund can be enlarged by the great assembly. Its seat is to be in Frankfort. It is to consist of one president, two vice-presidents, and twelve ordinary and twelve extraordinary judges. The twelve ordinary are elected thus:—Two by Austria, two by Prussia, one Bavaria, and the other seven amongst the other states, including the German universities, which will elect three from amongst the 13. The presidents and the vice presidents are to be elected. The extraordinary members are to be elected in the same manner from the different German states. The permanent or standing court will consist of three branches—President, one vice president, and three judges. These three gentlemen must reside in the capital. Their power consists in the decision of national disputes with the exception of giving the final sentence. It decides in the first instance in all cases directed to the Bund, and watches over the execution of justice throughout Germany. The plenary sittings decide on all cases gone through the first instance, and, in three first points above mentioned, eleven members are sufficient for decision. As regards the fourth point the extraordinary members must also be invited. Ten ordinary and ten extraordinary members constitute the quorum. The President and the three members of the standing senate are paid by the year by the Bund. The others receive daily and travelling expenses. The terms of the judication and other details are to be drawn up by the standing court, and afterwards proposed to the Bund for approbation.

AMERICA.

The late ex-President Van Buren.

This distinguished public man died on the 24th ult., in the 80th year of his age. He was born at Kinderhook, Columbia county, in the State of New York, on the 5th of December, 1782. At the age of fourteen he commenced the study of law under Mr. Francis Sylvester, of Kinderhook, and in 1802 entered the office of Mr. W. P. Van Ness, of New York city, in whose office he completed his course of legal study. In November, 1803, in the twenty-first year of his age, he was admitted as an attorney-at-law to the bar of the State of New York, and immediately commenced practice in partnership with the Hon. I. I. Van Alen, his half-brother. In 1807 he became a counsellor of the Supreme Court, and the year following was appointed surrogate of Columbia county. In 1809 he removed from Kinderhook, and set up business in the city of Hudson, State of New York. In April, 1812, Mr. Van Buren was elected a member of the State Senate for the then middle district of New York, and in the following year we find him member of the Court for the Revision of Errors. In 1815 he was appointed Attorney-General of the State, succeeding the Hon. A. Van Vechten. In 1815 he became Regent of the University of New York. In 1821 he was elected United States' senator for the State of New York, and in 1828 was Governor of that State. On the 12th of March in the same year he accepted the appointment of Secretary of State, tendered him by President Jackson. In 1831 he was over in this country as United States' Minister to England, where he arrived in September of that year; but, as the Senate refused to confirm the appointment, he returned to America in 1832, and became Secretary of the Treasury. In 1833 he was elected Vice-President, with General Jackson as President, for the second time. In 1836 Mr. Van Buren was chosen President, with Mr. R. M. Johnson, of Kentucky, for Vice-President. In 1856 he retired altogether from public life.

NORWAY.

Charterparty—Delivery of Cargo.

M. Chasseloup Laubat, the French Minister of Marine and the Colonies, has addressed the following communication to

the Chamber of Commerce at Marseilles. It is of some interest to shipowners :—

"The Admiralty Court of Christiana, in Norway, has pronounced a judgment which interests our merchant navy. The following are the circumstances under which it was delivered. M. Legrain, master of the three-masted ship *Nouvelle Antigone* took in a cargo of coal at Newcastle-on-Tyne, to be delivered at Christiana. The charterparty, signed by the master, stipulated, among other conditions, that the cargo should be delivered in that port 'or as near to it as could be safely accomplished.' Having on the 25th of March arrived at the edge of the ice, at about ten miles from Christiana, M. Legrain informed the person to whom the cargo was consigned that he was ready to discharge it, but the latter refused to commence the operation, and the captain of the *Nouvelle Antigone* was forced to wait until a passage was cut through the ice to allow the ship to enter the port, where the cargo was discharged. M. Legrain then commenced a civil action against the consignee for compensation for the delays he experienced in the fulfilment of his engagement. But the Court rejected the demand, on the ground that the clause 'or as near to it as could safely be accomplished,' which, moreover, is inserted in every English charterparty, cannot be applied to an impediment caused by ice or by any other obstacle of a temporary nature, but only to a case in which, in consequence of shallow water or any other permanent cause, it might be dangerous or impossible for the ship to reach its destination. The consequence of this decision is that the captains of merchant ships laden in England for Norway at a moment when the Norwegian ports are closed by ice—that is, previous to the 1st of May—ought, as a measure of prudence, cause to be inserted in their charterparty a clause authorizing them to discharge their cargo at the edge of the ice, in case it should prevent them from entering the port."

ON THE LIABILITY OF MASTER TO SERVANT IN CASES OF ACCIDENT,

The following paper was read by Vernon Lushington, Esq., Barrister-at-Law, at the meeting of the Social Science Congress in June last. We give it at length, as it contains a very useful and complete summary of an important head of law:—

The Bill on this subject, which was introduced this session by Mr. Ayrton and rejected by the House of Commons, purported to extend the liability of the master certainly to two cases where at present he is not liable, namely, (1) where the accident is caused to the servant by default of tackle or machinery, though the master is not proved to have been guilty of any personal negligence; (2) where the accident is caused by the default of a fellow-servant; and perhaps to a third case; (3) where the accident is caused to the servant by the negligence of the master in not furnishing proper machinery, the servant having undertaken or continued the work with knowledge thereof. These three cases were dealt with by the first section of the bill in these terms: "Whenever any workman or servant shall be injured in consequence of his master, or any other person employed by his master, not doing any act or providing anything which may be requisite or proper, or doing any act or providing any thing which may be improper, in or for carrying on the undertaking, work, or business in or about which such workman or servant shall be employed by or on account of his master, then such workman or servant shall be entitled to recover from his master damages for such injury by an action at law: provided always, such injury shall not have been suffered in consequence of any wilful act or omission of a fellow-workman or fellow-servant for which such fellow-workman or fellow-servant is punishable as a criminal offence; and provided also, such action shall be commenced within twelve calendar months after such injury shall have occurred."

The second section extends Lord Campbell's Act to the cases described in the preceding section.

The existing law is fairly open to inquiry, because it is comparatively new. The case which is always cited as the first and leading case, *Priestly* v. *Fowler*, 3 M. & W. 1, dates only in 1837. The general principles of the law relating to accidents are old enough and well established; but for several reasons the application of them to cases involving the relation of master and servant has not, until recent times, fallen under the consideration of our courts of law. First, changes in circumstances. The general introduction of machinery has necessarily multiplied accidents, and serious accidents; thus in 1861, in factories alone, and from machinery alone, notwithstanding our special statutory precautions and our inspectors to enforce them, there were about 4,000 accidents. (Report, October, 1861.) Again the construction of great works by "division of labour" has brought prominently forward new relations between employer, contractor, sub-contractor, and the servants of all these. Secondly, changes in the law. The old quasi-religious law of deodand, whereby the chattel or part of a chattel causing the death of a man was forfeited to the Crown or the lord of the franchise, was abolished in 1846 (9 & 10 Vict. c. 62); and in the same year was passed Lord Campbell's Act (9 & 10 Vict. c. 93), which gave for the first time a remedy to the families of persons killed by negligence. The Factory Regulation Act, 1844 (7 & 8 Vict. c. 15), and other statutes of the like kind, gave fresh rights or defined and confirmed old ones; and lastly, the institution of County Courts, and the general cheapening of legal procedure, have rendered the means of redress far more available than formerly to the working classes.

The subject is accordingly novel, and hitherto has been brought piecemeal only before the Courts, as this or that case with its own peculiar circumstances might chance to demand consideration. The whole matter, therefore, deserves and requires discussion.

I will begin by stating shortly the general objects of a law purporting to regulate the liability of masters towards servants in cases of accident occurring in the course of the employment. The first object should be, to prevent accidents The law should make it the interest of every person to be careful in his work, careful of himself, careful of others;—the master careful in selecting his servants, in superintending them, in choosing right methods of work, in providing sound machinery; the servant careful not only of his master's property, but also of his own life and of his fellow-servant's. For in truth it is very difficult to make men careful: the risk of injury appears so distant, so doubtful, and the very thought of it is so unpleasant; whereas the thought, trouble, and it may be expense, to avoid the risk, are certain and immediate, Sheffield workmen, it is notorious, even resent improvements that render their work less dangerous, lest wages should fall; and many out of mere indolence, some out of mere bravado, will not avail themselves of precautionary means actually provided. Employers again do not like accidents; accidents do them no good, and they have humanity enough to be sorry for those who suffer; yet how few, from want of consideration or from mean economy, will voluntarily take the pains or incur the expense to maintain due arrangements for the safety of their workmen! The necessity of our Factory Acts, Colliery Acts, and other statutes of the kind, too surely shows this. Against all such selfishnishness of employers, and unmanly recklessness of workman, a law making persons responsible for injury occasioned by their negligence to others, and excluding them from compensation for injury caused to themselves by their own negligence, is a valuable protection.

The second object should be, to furnish rules whereby, when injury actually occurs, justice may be done between the parties. This appears rather a vague matter, but is a very real one, and in the present day of special importance. Our population being industrial, and every day more and more so, the social relations including the legal relation of master and servant, needs in all respects to be clearly on a right basis,— to appear just in the sight of men. In particular, accidents, involving as they do, grievous personal loss and, pain rouse a sense of wrong, which co-operates with other causes to work dissension between class and class, and sometimes even leads to acts of lawless revenge. The recent murder in Manchester may illustrate this. The retributive law in cases of accident should be just; by being just, I mean founded on a fair consideration of the capital facts which mark the relation of master and servant, and the consequence of accidents arising in the course of the employment,—fair equitable consideration. This position is no denied—it is freely admitted; and the law purports to be based upon a construction of the contract of service, which it is to be remembered is, so far as express terms go, silent as to liability. But if the law has in any respect gone wrong it will be from misapprehending or insufficiently appreciating some of these characteristic facts.

The principal of these facts seem to be as follows:—

(*To be continued.*)

Law Students' Journal.

PRELIMINARY EXAMINATIONS BEFORE ENTERING INTO ARTICLES OF CLERKSHIP TO ATTORNEYS AND SOLICITORS.

PART I.

Pursuant to the judges' orders of the 26th of July, 1861, the Preliminary Examination in General Knowledge will comprise—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English grammar.
4. Writing a short English composition.
5. Arithmetic. A competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History. Questions on English history
8. Latin. Elementary knowledge of Latin.

PART II.

The special examiners appointed by the judges, by an Order dated the 26th of November, 1861, have selected the following books, in which the examinations will take place at the examination on the 20th and 21st of October, 1862:—

In Latin.—Cicero de Natura Deorum; or Horace's Odes (Books III. and IV.).

In Greek.—Demosthenes, de Corona; or Homer's Odyssey (Books VI. to XII., both inclusive).

In modern Greek: Βικελαίου, περὶ Ἀδικημάτων καὶ Ποινῶν μεταφρασμένον ἀπὸ τὴν Ἰταλικὴν Γλῶσσαν; or Βυττοῦς Ἱστορία τῆς Ἀμερικῆς.

In French.—Racine's Iphigénie; or Molière's L'Avare.

In German.—Göthe's Torquato Tasso; Schiller's Abfall der Niederlande (I. und II. Buch).

In Spanish.—Cervantes' Don Quixote; or Dom Hartzenbuch's La Coja y el Encogido.

In Italian.—Manzoni's Promessi Sposi; or Tasso's Gerusalemme Liberata.

Candidates will be examined in *one* language only, and they will have the choice of either of the above-mentioned works.

Candidates are required by the judges' orders to give a month's notice to the Incorporated Law Society, as registrar of attorneys, of the language in which they propose to be examined, the place at which they wish to be examined, and their age and place of education. All notices and inquiries should be addressed to the Assistant-Secretary of the Incorporated Law Society, Chancery-lane, W.C.

LECTURES AT THE INCORPORATED LAW SOCIETY.

The council of this society have elected Mr. Thomas Henry Haddan to deliver a course of lectures on Equity; Mr. William Murray, on Common Law and Mercantile Law; and Mr. Montague Hughes Cookson, on Conveyancing.

The lectures will commence in next Michaelmas Term, and be continued until the end of the several courses in March.

Births, Marriages, and Deaths.

BIRTHS.

GARDINER—On the 1st inst., at Woodridings, Pinner, the wife of John Gardiner, Esq., barrister-at-law, of a daughter.

MARRIAGES.

DAVIES—MASON—On the 13th inst., at Husthwaite Church, near Easingwold, Yorkshire, by the Rev. Edmund Thomas Mason, B.A., of Christ's College, Cambridge, brother of the bride, assisted by the Rev. George Scott, M.A., vicar of Coxwold, James Davies, Esq., Solicitor, Hereford, to Anne, younger daughter of James Mason, Esq., formerly Comptroller of her Majesty's Customs at Hull.

GATES—HARBIN—On the 19th inst., at the parish church, Clapham, by the Rev. H. A. Baumgartner, Incumbent of Emmanuel Church, Camberwell, Philip Chasemore Gates, Esq., of the Inner Temple, Barrister-at-Law, to Annie, younger daughter of Peter Tait Harbin, Esq., of Conrland-villa, Wandsworth-road.

HERRICK—CHRISTIE—On the 13th inst., at St. James's, Paddington, by the Ven. the Archdeacon of Stafford, Wm. Perry Herrick, Esq., of Beau Manor-park, Leicestershire, to Sophia, youngest daughter of J. H. Christie, Esq., of Lincoln's inn, and of Stanhope-st., Hyde-park-gardens, barrister-at-law,

HULL—LAW—On the 14th inst., at North Repps, Norfolk, by the Rev. Francis Law, incumbent of Samlesbury, Lancashire, uncle of the bride, Henry Charles Hull, Esq., of the Inner Temple, barrister-at-law, to Fanny Amelia, second daughter of the Rev. P. C. Law, rector of North Repps.

TIFFEN—CORNISH—On the 19th inst., at Tavistock, by the Rev. Dr. Tancock, the vicar of the parish, Joseph Tiffen, Esq., of Skirlaugh, Hull, to Norah, eldest daughter of the late Henry Cornish, of Tavistock, solicitor.

TWIST—PURTON—On the 13th inst., at the parish church of Stoke, near Coventry, by the Rev. John James Twist, brother of the bride, assisted by the Rev. Robert Arrowsmith, vicar, Francis Elizabeth Twist, only daughter of John Brown Twist, of Stoke House, Esq., to William Cecil Pardoe Purton, of the Inner Temple, Esq., barrister-at-law, only son of Thomas Pardoe Parton, of Faintree Hall, near Bridgnorth, in the county of Salop, Esq.

DEATHS.

HUSTWICK—On Sunday, the 10th inst., at Scarborough, William Anthony Hustwick, of Soham, Cambridgeshire, Solicitor, aged 23.

NELSON—On the 17th inst., at St John's-cottage, aged 43, Charlotte, the wife of Henry Nelson, Esq., Solicitor, of Leeds.

PATTERSON—On the 17th inst., at 7, Bouverie-street, Fleet-street, William Simpson Paterson, Esq., Solicitor, aged 60.

TURNER—On the 12th inst., at his residence, North Bank, Regent's-park, at nearly the close of the 69th year of his age, John Turner, Esq., Barrister-at-Law, and one of the benchers of the Honourable Society of the Middle Temple.

London Gazettes.

Professional Partnership Dissolved.

TUESDAY, Aug. 19, 1862.

Richardson, Henry Marriott, & Robert Gudgeon Hinnell, Bolton and Manchester, Attorneys and Solicitors (Richardson & Hinnell). By mutual consent. Aug 12.

Windings-up of Joint Stock Companies.

FRIDAY, Aug. 15, 1862.

UNLIMITED IN CHANCERY.

North Wheal Exmouth Mining Company.—The Master of the Rolls doth peremptorily order that a call of five shillings per share be made on all contributories of this company, to be paid, on Aug. 15, to Frederick Whinney, 5 Serle-st, Lincoln's-inn. July 24.

Phœnix Life Assurance Company.—Vice-Chancellor Wood doth peremptorily order that a call of five pounds per share be made on all contributories of this company, to be paid on Sept 1, to Mr. William Turquand, 16 Tokenhouse-yard.

TUESDAY, Aug. 19, 1862.

UNLIMITED IN CHANCERY.

Buller & Bertha Mine Company.—Vice-Chancellor Wood has appointed Edmund Pullein, 3 Bank-buildings, London, and 5 Serle-st, Lincoln's-inn, official manager of this company.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Aug 15, 1862.

Brown, Fountain, Esq., formerly of Lytham, Lancashire, but late of Kenilworth, Warwickshire. Sept 1. Sol Hicks, Kenilworth.

Carr, Rev. John, late of Brattleby, Lincolnshire, and of 14 York-ter, Regent's-park, Clerk. Oct 1. Sols Oliverson, Lavie, & Peachey.

Curtis, Jane, Cathedral Close, Hereford, Spinster. Sept 30. Sol Harwood, Bristol.

Eden, William, Tiddington, Alveston, Warwickshire, Gent. Oct 6. Sols Hobbes & Slatter, Stratford-upon-Avon.

Foster, Edmund, Clewer Manor, Clewer, Berks, Esq. Sept 27. Sols Henderson & Leach, 10 Lancaster-pl, Strand.

Houghton, William, 28 Hamilton-ter, St. John's wood, Middlesex, Esq. Nov 2. Sol Baynes, 60 Carey-st, Lincoln's-inn.

Page, Samuel, Hallingbury, near Bishop's Stortford, Yeoman. Sept 30. Sol Hubbard, 18 Bucklersbury.

Sanders, William, formerly Manager of the Great Western Hotel, and late 14 Hanover-st, Hanover-sq, Middlesex, Gent. Nov 30. Sols Vallance & Vallance, 20 Essex-st, Strand, and 1 George-yard, Lombard-st.

Sheldrick, Sarah, Dickleburgh, Norfolk. Nov 20. Sols Hotson & Furness, Long Stratton, Norfolk.

Smith, Thomas, Brineton, Blymhill, Staffordshire, Farmer. Sept 15. Sol Phillips, Shifnal.

Tunstall, John, Little Hulton, Lancashire, Gent. Nov 1. Sols Taylor & Son, Bolton-le-Moors, Lancashire.

Vickery, Caroline, 37 King-st, Covent-garden, Spinster. Dec 1. Sol Evans, 12 Lincoln's-inn-fields.

TUESDAY, Aug. 19, 1862.

Barnacle, William, Stratford-upon-Avon, Warwickshire, Auctioneer. Sept 29. Sol Lane, Old Town, Stratford-upon-Avon.

Barnacle, Sarah, Stratford-upon-Avon, Warwickshire, Widow. Sept 29. Sol Lane, Old-town, Stratford-upon-Avon.

Cooper, Samuel, formerly of Lime-st, Sutton, Holderness, but late of Welton, Yorkshire, Esq. Oct 20. Sols Lightfoot, Earnshaw, & Frankish, Hull.

Fincham, Alfred, Canton, China, and Victoria, Hong Kong, Merchant. Feb 10. Sols Clarke & Morice, 20 Coloman-st, London.

Gottlieb, Frederick Valentine, 37 Wood-st, Woolwich, Esq. Oct 20. Sols Mead & Daubeny, 2 King's Bench-walk, Temple.

Hoghton, Sir Henry Boid, Hoghton Tower, Lancashire, and of 27 Prince's Gate, Hyde Park, Middlesex, Baronet. Oct 16. Sol Fiddery, 3 Harcourt-bldgs, Middle Temple.

Lamplugh, Margaret, Kilham, Yorkshire, Widow. Sept 20. Sol Jarratt, Great Driffield, Yorkshire.

Sharp, Leonard, Cross Keys Hotel, Wood-st, Cheapside. Sept 29. Sols Mason, Sturt, & Mason, 7 Gresham-st.

Shaw, Thomas, 239 and 240 St Margaret's-hill, Southwark, Surrey, and 7 London-rd, Brighton, Draper. Oct 1. Sol Stuckey, 50 Old Steine, Brighton.

Shephard, Elizabeth Charlotte Anne, North Hidden-cottage, Hungerford, Berks, Spinster. Oct 1. Sols Halcomb & Woodward, Hungerford.

Weir, John Charles, Tunbridge Wells, Kent, Esq. Oct 1. Sol Kensit, Skinner's Hall, Dowgate-hill, London.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Aug. 15, 1862.

Baines, Henry Ramsay, late of Esher Lodge, Esher, Surrey, and of Leekford, near Stockbridge, Southampton, Esq. Nov 12. Baines v. Baines, V. C. Stuart.

Banks, Benjamin, Spofforth, Yorkshire. Oct 29. Holder v. Barstow, M. R.

Crane, John, Birmingham, Warwickshire, Gent. Nov 20. Crane v. Wynn, M. R.

Cross, James, Gringley-on-the-Hill, Nottinghamshire, Esq. Nov 10. Cross v. Raven, M.R.

West, Elizabeth, Stratford-le-Bow, Widow. Nov 10. Dalton v. West, M. R.

Hill, Edward Robert, Norwich, Merchant and Maltster. Nov 6. Walker v. Hill, V. C. Kindersley.

Loat, William John, Clapham, Surrey, Surveyor. Oct 29. Loat v. Loat, M. R.

Norford, William, Great Yarmouth, Norfolk, Gent. Oct 29. Whitesides v. Norman, M. R.

Threlfall, John Mayor, Salford, Lancashire, Brewer. Oct 30. Hopkins v. Threlfall, V. C. Wood.

Wilson, Joseph, Aspatria East Mill, Aspatria, Cumberland, Yeoman. Nov 4. Wilson v. Wilson, V. C. Kindersley.

TUESDAY, Aug. 19, 1862.

Bradshaw, Peter, Hindley, Wigan, Gent. Nov 12. Alker v. Taylor, M.R.

Bucknell, William, Chesterfield, Derbyshire, Auctioneer. Nov 10. Black v. Bucknell, M. R.

Day, William, Eight Bells Inn, Collingwood-st, Christchurch, Surrey, Innkeeper. Nov 10. Gibbs v. Day, M. R.

Howard, John, Brereton Hall, Chester Esq. Nov 6. Howard v. Coppock, M. R.

Yates, Eliza Frances, 10 Wellington-sq, Chelsea, Middlesex, Spinster. Nov 1. Yates v. Stephenson, V. C. Stuart.

(County Palatine of Lancaster.)

Marsh, Margaret, Hindley, Spinster. Sept 9. Battersby v. Marsh, Office of the Registrar, 4 Norfolk-st, Manchester.

Assignments for Benefit of Creditors.

TUESDAY, Aug. 19, 1862.

Dempster, Adam, Dudley, Worcestershire, Travelling Draper. Aug 2. Sol Coulton, Dudley.

Price, Mary. Bridge-end, Llangollen, Denbighshire, Widow. Aug 14. Sols C. & W. Richards, Llangollen.

Scott, James, Burwell, Cambridgeshire, Farmer. Aug 11. Sol Palmby, Cambridge.

Williams, Isaiah, Norwich, Earthenware Dealer. July 25. Sols Daveney and Corsbie, Norwich.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Aug. 15, 1862.

Allen, Ann, Halifax, Hatter. July 19. Assignment. Reg Aug 13.

Appleby, Thomas Dawkins, Leeds, Cheese and Bacon Factor. July 18. Conveyance. Reg Aug 12.

Austin, James, 26 Russell-st, Landport, Portsea, Hamshire, Baker. July 24. Conveyance. Reg Aug 11.

Brown, Ralph, 52 Thrift-st, South Shields, Durham, Shoe Dealer. July 16. Conveyance. Reg Aug 12.

Cockings, James Septimus, Birmingham, Nail Manufacturer. July 18. Assignment. Reg Aug 12.

Cornthwaite, Peter, Liverpool, Tea Merchant. July 29. Conveyance. Reg Aug 14.

Danford, Benjamin, St. James-st, St. Nicholas, Nottingham, Schoolmaster. Aug 9. Conveyance. Reg Aug 14.

Dixon, John, 67 Downing-st, Manchester, Ironmonger. July 16. Assignment. Reg Aug 13.

Dugdale, Robert, Manchester, Manufacturer. Aug 8. Assignment. Reg Aug 14.

Garland, Thomas, Curzon-st, St Ann's Well-rd, Nottingham, Builder. Aug 5. Conveyance. Reg Aug 14.

Harris, Judah Lion, 151 Houndsditch, London, Chandelier Maker. Aug 8. Assignment. Reg Aug 13.

Harrod, Richard John, South Town (otherwise Little Yarmouth), Boat Builder. Aug 9. Conveyance. Reg Aug 14.

Jenkins, Watkin, & Daniel Smart, Cardiff, Merchants. July 15. Conveyance. Reg Aug 12.

King, John, Victoria House, Rope-walk, Bristol, Mason. Aug 5. Arrangement. Reg Aug 14.

Levey, George, & Charles Robson, Great New-st, Fetter-lane, Printers. July 26. Inspectorship. Reg Aug 13.

Nield, Henry, & Richard Dickon, Liverpool, Wholesale Tea and Coffee Merchants. July 22. Conveyance. Reg Aug 13.

Roberts, James, Earlsheaton, Dewsbury, Yorkshire, Manufacturer. July 18. Assignment. Reg Aug 14.

Robbins, John Brann, Buckland, near Dover, Kent, Blacksmith. July 18. Conveyance. Reg Aug 13.

Rusha, David, 13 Hamilton-row, Bagnigge Wells-rd, Middlesex, Leather Seller. Aug 4. Conveyance. Reg Aug 12.

Sharp, William, 53 Frederick-st, Gray's inn-rd, Goldsmith. July 28. Conveyance. Reg Aug 14.

Tateson, William, Upper Poppleton, West Riding of Yorkshire, Publican. July 31. Arrangement. Reg Aug 14.

Venis, Jeremiah, and Rachel Venis, Liverpool, Grocers. July 25. Assignment. Reg Aug 14.

Williams, Charles Stewart, & Thomas Bake, Emmett-st, Limehouse, Middlesex, Ship Chandlers. May 20. Inspectorship. Reg Aug 15.

TUESDAY, Aug. 19, 1862.

Carter, Elliot, Highburton, Yorkshire, Spade Maker. July 19. Assignment. Reg Aug 15.

Cook, Samuel, Plymouth, Devonshire, Oil and Colourman. Aug 2. Conveyance. Reg Aug 16.

Coward, Charles, and George Evans, Sheffield, Joiners and Builders. July 23. Conveyance. Reg Aug 15.

Everton, John, Lutterworth, Leicestershire, Hop Merchant. July 25. Conveyance. Reg Aug 18.

Gambell, John, and Philip Le Bontellier, Liverpool, Ship Brokers. Aug 16. Assignment. Reg Aug 19.

Greenwood, James, Allerton-pl, Halifax, Damask Manufacturer. July 21. Conveyance. Reg Aug 15.

Higson, Thomas, Bolton, Lancashire, Coach and Cab Proprietor. July 21. Conveyance. Reg Aug 16.

Hinks, Alfred, Birmingham, Grocer. Aug 7. Assignment. Reg Aug 15.

Kendrick, Thomas, Bloomfield, Tipton, Staffordshire, Builder. Aug 1. Composition. Reg Aug 13.

Loretz, Philip, Weston-super-Mare, Somersetshire, Shopkeeper. July 16. Conveyance. Reg Aug 16.

Mellor, Joseph, 94 City-rd, Hulme, Manchester, Corn and Flour Dealer. July 22. Assignment. Reg Aug 18.

Parker, John Wilson, Leicester, Tobacconist. July 25. Composition. Reg Aug 18.

Pugh, John, & Robert Ekins Wallis, 10 Bishopsgate-st, Builders. July 22. Composition. Reg Aug 18.

Richardson, Jonathan Backhouse, & Thomas Richardson, jun, Shotleybridge, Durham, Iron and Tin Plate Manufacturers. July 30. Conveyance. Reg Aug 16.

Sellers, Matthew, 79 Coventry-rd, Aston, Warwickshire, Corn Dealer. July 22. Conveyance. Reg Aug 16.

Whittaker, James, Gorton, near Manchester, Drysalter. Aug 13. Assignment. Reg Aug 16.

Wood, William, Pudsey, Yorkshire, Stone Merchant. July 29. Assignment. Reg Aug 16

Yard, James, Clevedon, Somersetshire, Draper. July 22. Conveyance. Reg Aug 18.

Bankrupts.

FRIDAY, Aug. 15, 1862.

Adams, Robert James, 5 Townsend-st, Old Kent-rd, Omnibus Driver. Pet Aug 13. London, Sept 2 at 11. Sol Buchanan, 13 Basinghall-st.

Adderton, John, 81 Oldham-rd, Manchester, Baker. Pet Aug 12. Manchester, Aug 29 at 11. Sols Vickers & Diggles, Manchester.

Appleby, James, Malvern-rd, Kilburn, Middlesex, Clerk to an Auctioneer. Pet Aug 13. London, Sept 2 at 11. Sol Abrahams, 4 Lincoln's-inn-fields.

Atcheson, William Brown, 9 Pelham-pl, Dickinson-rd, Rusholme, near Manchester, Commission Agent. Pet Aug 11. Manchester, Sept 30 at 9.30. Sol Marriott, Manchester.

Athow, Christopher Thomas, 35 Halliford-st, Lower-rd, Islington, Commercial Traveller. Pet Aug 12. London, Sept 1 at 10. Sols Gibbs & Tucker, 3 Lothbury.

Atkins, Clement Stubbington, Eastmean, Hampshire. Miller. Pet Aug 5. London, Aug 27at 1. Sol Lott, 44 Parliament-st, Westminster.

Atkinson, Thomas, East Cottinwith, Yorkshire, Butcher. Pet Aug 11. York, Aug 27 at 11. Sol Mason, York.

Baddeley, Charles, 187 Central-st, Old-st, St Luke's, Machinist and Engineer. Pet Aug 11. London, Sept 1 at 1. Sol Layton, 9 Church-row, Upper-st, Islington.

Baker, Thomas Robert, 2 Elnathan-villas, Lothian-rd, Camberwell, Ship Agent. Pet Aug 12. London, Aug 29 at 11. Sol Neal, Pinner's-hall, Old Broad-st.

Balshaw, Thomas, Park-hill-pl, Bolton, Lancashire, Cotton Spinner. Pet Aug 12. Manchester, Aug 26 at 12. Sols Holden & Andrews, Bolton.

Banks, William, 157 & 158 High-st, Lewes, Sussex, Newsvendor. Pet Aug 9. Lewes, Aug 28 at 10. Sol Goodman, Brighton.

Barnett, John, 46 Ballizephon-st, Long-lane, Bermondsey, First Class Assistant-Engineer in Her Majesty's guard ship Fisgard. Pet Aug 11. London, Aug 29 at 11. Sols Doyle, 2 Verulam-bldgs, Gray's inn, and Morgan, Maidstone.

Brewer, Richard, Cowick-st, St Thomas the Apostle, Devonshire, Grocer. Pet Aug 12. Exeter, Aug 27 at 11. Sol Fryer, St Thomas the Apostle.

Brian, William, Whittlesey, Cambridgeshire, Calf Dealer. Pet Aug 11. Peterborough, Aug 30 at 10. Sol Law, Stamford.

Brooks, Thomas, Biddulph Park, Biddulph, Staffordshire, rmer. Aug 12. Congleton, Aug 23 at 11. Sol Welch, Congle Fa

Browne, Henry William, 19 Twyford-st, Caledonian-rd, Islington, General Dealer. Pet Aug 8 (in forma pauperis). London, Sept 1 at 12. Sols Aldridge & Bromley, 46 Moorgate-st.

Bye, Joseph, 14 Paradise-cottages, Southgate-rd, Clerk in an Insurance Office. Pet Aug 11. London, Sept 1 at 12. Sol Philp, 26 Bucklersbury.

Castle, Richard, Witney, Oxfordshire, Farmer. Pet Aug 13. London, Sept 2 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Chambers, Thomas, Banbury, Oxfordshire, Journeyman Printer. Pet July 30 (in forma pauperis), Banbury, Aug 25 at 11.

Chapman, Samuel, Costock, Nottinghamshire, Surgeon. Pet Aug 12. Nottingham, Aug 26 at 11. Sols Hucknall & Wilson, Loughborough.

Cock, Thomas, Putney, Surrey, Carpenter. Pet Aug 9 (in forma pauperis). London, Sept 1 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Coleman, Charles, 2 Walgrave-ter, Earl's-ct, Kensington, Carpenter. Pet Aug 11 (in forma pauperis). London, Aug 30 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Crabb, William Ralph, 2 Tavistock-st, Plymouth, Devonshire, Oil and Colour Dealer. Pet Aug 9. East Stonehouse, Aug 27 at 11. Sol Gidley, Plymouth.

Croke, Daniel Plummer, Anderton's Hotel, Fleet-st, Surgeon. Pet Aug 9 (in forma pauperis). London, Sept 1 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Cubley, Samuel Ward, Newark-upon-Trent, Nottinghamshire, House, Sign, and Ornamental Painter. Pet Aug 13. Nottingham, Aug 26 at 11. Sols Hodgkinson & Pratt, Newark-upon-Trent, and Browster, Nottingham.

Dallibar, William, 331 Fulham-rd, St Luke, Chelsea, Whitesmith. Pet Aug 11. London, Sept 1 at 1. Sol Giles, 44 Bedford-row.

Daniels, William, 12 Church-pl, Everton, Liverpool, Artist. Pet Aug 12. Liverpool, Aug 29 at 12. Sol Steble, Liverpool.

Davis, Charles, jun, 61 Mount-st, Lambeth, Butcher. Pet Aug 11. London, Sept 1 at 10. Sol Pearce, 8 Giltspur-st, London.

Drake, Robert, Constitution-hill, Chesham, Tailor. Pet Aug 12. London, Sept 1 at 10. Sol Edwards, 15 St Swithin's-lane.

Dunckley, John, Chelvaston, Northampton, Publican. Pet Aug 11. London, Sept 1 at 1. Sols Kingdom & Williams, 3 Lawrence-lane, Cheapside.

Egerton, Henry, 82 Soho-st. Pet Aug 12. Liverpool, Aug 26 at 3. Sol Hall, Manchester.

Elsworth, William, & Abraham Huddleston, Pudsey, and Leeds, Cloth Manufacturers. Pet Aug 4. Leeds, Aug 29 at 11. Sols North & Son, Leeds.

Evans, David, Duffryn Tavern, Gorth-st, New-town, Cardiff, Beerhouse Keeper. Pet Aug 13. Cardiff, Sept 1 at 11. Sol Bird, Cardiff.

Evans, Edward, Trigg-lane, Upper Thames-st, London, Iron Merchant. Pet Aug 13. London, Sept 2 at 10. Sols Paine & Layton, Gresham-house, Old Broad-st.

Evens, Frederick John, Fore-st, Totnes, Devonshire, Furniture Broker Pet Aug 13. Exeter, Aug 29 at 12. Sols Cuming, Totnes, and Flood, Exeter.

Fairbrother, John, & Francis Wood Rawling, Manchester, Makers-up. Pet Aug 12. Manchester, Aug 27 at 12. Sol Whitworth, Manchester.

Farnsworth, William, Pease-hill-rd, Nottingham, Draughtsman. Pet Aug 12 (in forma pauperis). Nottingham, Oct 1 at 10. Sol Maples, Nottingham.

Figg, Elizabeth Mary, 24 High-st, Cliffe, Lewes. Pet Aug 9. Lewes, Aug 28 at 11. Sol Goodman, Brighton.

Fowler, Hugh Nottingham, 9 Edmund-place, Aldersgate-st, London, Messenger in the General Post Office. Pet Aug 13. London, Sept 2 at 11. Sols Marshall & Son, 12 Hatton-garden.

Gaskin, William, Burton-on-Trent, Staffordshire, Piano Maker. Pet Aug 11. Burton, Sept 13 at 12. Sol Leech, Derby.

Gibson, Henry, Church-st, Berwick-upon-Tweed, Innkeeper. Pet Aug 9. Berwick, Aug 26 at 2. Sol Weatherhead, Berwick-upon-Tweed.

Hall, John George, 10 Grafton-ter, Victoria-rd, Kentish Town, Architectural and Engineering Draughtsman. Pet Aug 11. London, Sept 1 at 1. Sols Marshall & Son, 12 Hatton-garden.

Hampton, Herbert, Upper King-st, Dudley, Worcestershire, Moulder. Pet Aug 7. Dudley, Sept 4 at 11. Sol Maltby, Dudley.

Harding, William, 6 Bowling Green-sq. Whitecross-st, Dairyman. Pet Aug 11. London, Sept 1 at 11. Sol Parsons, 43 Basinghall-st.

Hart, Barnett, 6 King-st, St. James's-pl, Aldgate, London, Dealer in Foreign Fruit. Pet Aug 11. London, Sept 1 at 12. Sol Davies, 9 Union-ct, Old Broad-st.

Hill, Robert Raby, 20 Cambridge-ter, Southend, Essex, Attorney's Clerk. Pet Aug 11. London, Sept 1 at 11. Sols Digby & Son, 90 Chancery-lane.

Hill, Alfred, Market-pl, Norwich, Chemist's Assistant. Pet Aug 12. London, Sept 1 at 10. Sols Digby & Son, 90 Chancery-lane.

Hiscock, Anna Martina, Southampton, Veneer Cutter. Pet Aug 12. London, Sept 1 at 10. Sols Lawrance, Plews, & Boyer, Old Jewry Chambers.

Howard, Henry, 8 St. John's-wood-road, Marylebone. Pet Aug 13 (in forma pauperis). London, Sept 2 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Jansen, Charles Theodor, 1 Polygon, Somers Town, Commission Agent. Pet Aug 12 (in forma pauperis). London, Sept 2 at 10. Sols Aldridge & Bromley, 46 Moorgate-st.

Jay, John, 20 Garden-ter, Romford, Essex, Bricklayer. Pet Aug 11. London, Sept 1 at 11. Sol Allen, 64 Chancery-lane.

Johnson, George, 154 Grange-lane, Birkenhead, Cheshire, Earthenware, China, and Glass Dealer. Pet Aug 13. Birkenhead, Sept 15 at 10. Sol Bretherton, Liverpool.

Jones, Owen, Nantyfelin, Maenan, Carnarvonshire, Corn Dealer. Pet July 15. Llanrwst, Aug 25 at 11. Sol Jones, Conway.

Lawrence, Thomas, Broadstone, Bloxwich, Boot and Shoe Maker. Pet. Walsall, Aug 26 at 11. Sol Glover, Walsall.

Leason, John, Euxton, near Chorley, Lancashire, Bookkeeper. Pet Aug 11. Manchester, Aug 26 at 12. Sol Gardner, Manchester.

Lilley, Edwin, 1 Holborn-mount, Kingston-upon-Hull, Pet Aug 11. Hull, Aug 26 at 12. Sol Walker, Hull.

Little, John, Gordon-cottages, York-rd, Battersea, Pig Dealer. Pet Aug 9. London, Aug 27 at 12. Sol Wetherfield, 35 Moorgate-st.

Lovell, Joseph Gwyn, Exchange-buildings, Bristol, Merchant. Pet Aug 14. Bristol, Aug 29 at 11. Sol Burgess, Bristol.

Loxley, William, 2 Forgham-ter, Sherborne-rd, Balsall-heath, Worcestershire, Journeyman Stone and Marble Mason. Pet Aug 13. Birmingham, Sept 29 at 10. Sol East, Birmingham.

Mann, Thomas, Bernard-st, Southampton, Grocer. Pet Aug 11. London, Sept 1 at 12. Sols Patterson & Son, 7 Bouverie-st, London, for Mackey, Southampton.

McCord, John, Cardigan. Aug 11. Bristol, Aug 29 at 11. Sol Brittan, Bristol.

McGhee, James, George-st, St George's, Bloomsbury, Statuary and Mason Pet Aug 13. London, Sept 2 at 11. Sol Wyatt, 11 King's-rd, Bedford-row.

Milne, James, 16 Mount-pleasant-sq, Salford, Lancashire, Brewer's Traveller. Pet Aug 11. Salford, Aug 30 at 12. Sol Swan, Manchester.

Mundle, William, Wardrew House, Northumberland, Licensed Victualler. Pet Aug 11. Newcastle-upon-Tyne, Sept 3 at 12. Sol Scaife, Newcastle-upon-Tyne.

Norton, John, Chesterfield-st, Nottingham, Baker. Pet Aug 13 (in forma pauperis). Nottingham, Oct 1 at 10. Crown Sol Maples, Nottingham

Oldfield, Joseph William, Bradford, Yorkshire, Stuff Merchant. Pet Aug 5. Leeds, Aug 29 at 11. Sols Terry & Watson, Bradford, and Bond & Barwick, Leeds.

Osborn, John, Brook-row, Bagnidge-wells-rd, Middlesex, Timber Dealer. Pet Aug 11. London, Sept 1 at 12. Sol Barrow, 10 King's-bench-walk, Temple.

Pagett, John, Pleck, Walsall, Staffordshire, Butter Dealer. Pet. Walsall, Aug 26 at 11. Sol Edwards, Walsall.

Parrington, Leonard Harker, Enlsbrough, Yorkshire, Land and Estate Agent. Pet June 25. Stokesly, Aug 29 at 11. Sol Mason, York.

Parish, James, Gate House Hotel, Tenby, Pembrokeshire. Aug 12. Bristol, Aug 29 at 11. Sol Brittan, Bristol.

Penkethman, Robert, 52 Oldham-st, Manchester, Hair Dresser. Pet Aug 12. Manchester, Sept 30 at 9.30. Sol Lamb, Manchester.

Porter, Robert Fortune, Victoria-rd, Surbiton, Surrey, Carver and Gilder. Pet Aug 13. London, Sept 2 at 10. Sol Levy, 18 Surrey-st, Strand.

Powell, Henry, Frankwell, Shrewsbury, Salop, Grocer. Pet Aug 1. Shrewsbury, Sept 8 at 10. Sols C. D. & A. S. Craig, Shrewsbury.

Poyser, Josepe, Wirksworth, Derbyshire, Auctioneer. Pet Aug 12. Nottingham, Aug 26 at 11. Sols Cowley & Everall, Nottingham.

Rich, Amor, 11 Blackfriar-gate, Kingston-upon-Hull, Licensed Victualler. Pet Aug 12. Hull, Aug 26 at 12.30. Sol Walker, Hull.

Richards, Robert, Kilminston-st, Landport, Hants, Baker. Pet Aug 9. Portsmouth, Aug 26 at 11.30. Sol Paffard, Portsea.

Richmond, John, 29 Park-st, Chorlton-upon-Medlock, Manchester, Town Traveller. Pet Aug 11. Manchester, Sept 30 at 9.30. Sol Rawlinson, Manchester.

Roper, John, Queen's-cross, Dudley, Worcestershire, Warehouseman. Pet Aug 9. Dudley, Aug 28 at 11. Sol Lowe, Dudley.

Scofield, James, Barkstone, Leicestershire, Wheelwright. Pet Aug 13. Bingham, Oct 21 at 11. Sol Buttery, Nottingham.

Sedwell, William, Sparrows Hearne, Bushey-heath, Hertfordshire, Hay Dealer. Pet Aug 12. London, Sept 1 at 10. Sols Marshall & Son, 12 Hatton-garden.

Sharp, John, 63 St. James-st, Manchester, Dealer in Packing Materials. Pet Aug 11. Manchester, Sept 30 at 9.30. Sol Gardner, Manchester.

Sheardown, John Baker, Kirkstead, Lincolnshire, Labourer. Pet Aug 11. Horncastle, Aug 26 at 11. Sol Adcock, Horncastle.

Shirley, George, Burcham House, 5 St Leonard's-rd, Bromley, Middlesex, Plumber. Pet Aug 11. London, Sept 1 at 11. Sol Abbott, 1 St Mark-st, Great Prescott-st.

South, James, 2 Richmond-rd, North Westbourne-pk-rd, Paddington, Stone Mason. Pet Aug 13. London, Sept 2 at 10. Sol Parsons, 43 Basinghall-st.

Taylor, John, Walnut-tree-lane, Nottingham, Labourer. Pet Aug 14. Nottingham, Oct 1 at 10. Sol Heath, Nottingham.

Thompson, Charles, 1 John-st West, Edgeware-rd, Middlesex, Assistant to a Milliner. Pet Aug 12. London, Sept 1 at 10. Sol Herring, 17 Stafford-st, Marylebone-rd.

Thompson, William Henry, 101 High-st, Ramsgate. Pet Aug 11. London, Sept 1 at 12. Sol Hatton, 17 Essex-st, Strand.

Tubb, John, Church Farm, Fawley, Buckinghamshire, Farmer and Cattle Dealer. Pet Aug 12. London, Sept 2 at 10. Sols Berkeley & Calcott, 52 Lincoln's-inn-fields, for Cooper, Henley.

Upton, John, Crompton-st, Derby, Agricultural Machinist. Pet Aug 12. Derby, Aug 26 at 12. Sol Leech, Derby.

Veale, William, 8 King John-st, Stepney, Middlesex, Attorney's Clerk. Pet Aug 11. London, Sept 1 at 1. Sol Philby, Fenchurch-bldgs, Fenchurch-st.

Whitley, John, sen, Bingley, Yorkshire, Butcher. Pet Aug 13. Keighley, Sept 3 at 10. Sol Watson, Bradford.

Wills, John, Wedmore, Somersetshire, Labourer. Aug 11. Taunton, Aug 25 at 12. Sol Reed, Bridgwater.

Wilson, George, Coppull-moor, within Coppull, Lancashire, Wheelwright. Pet Aug 9. Chorley, Sept 4 at 9. Sol Anderton, Chorley.

Winder, James, Leeds, Cloth Dealer. Pet Aug 4. Leeds, Aug 29 at 11. Sol Bulmer, Leeds.

Wood, William, Allerton, Bradford, Yorkshire, Butcher. Pet Aug 12. Bradford, Aug 28 at 10.30. Sol Hutchinson, Bradford.

Woodings, Thomas, 58 Leonard-st, Derby, Luggage Guard. Pet Aug 11. Derby, Aug 26 at 12. Sol Leech, Derby.

Woods, Joseph, 16 Minshull-st, Liverpool, Whitesmith. Pet Aug 11. Liverpool, Aug 26 at 3. Sol Blackhurst, Liverpool.

Wright, Edward, & William Wright, Ruabon, Denbighshire, Farmers. Pet Aug 11. Liverpool, Aug 26 at 12. Sol Goldrick, Liverpool.

Younghusband, Thomas William, Brighton, Sussex. Aug 8. London, Aug 29 at 11. Sol Aldridge, 46 Moorgate-st.

TUESDAY, Aug. 19, 1862.

Adams, Henry, 3 Clarendon-pl, Wyndham-rd, Camberwell, Accountant. Pet Aug 14 (in forma pauperis). London, Sept 2 at 1. Sol Aldridge & Bromley, 46 Moorgate-st.

Agelasto, Stephen Cosi, Manchester, Merchant. Pet Aug 14. Manchester, Sept 3 at 12. Sols Sale, Worthington, Shipman, & Seddon, Manchester.

Allin, John, Brendon Farm, Sutcombe, Devonshire, Farmer. Pet Aug 16. Exeter, Sept 3 at 10. Sol Flood, Exeter.

Arnold, James, 10 Bathurst-mews, Hyde-park West, Middlesex, Foreman to a Cheesemonger. Pet Aug 14. London, Sept 2 at 12. Sols Marshall & Son, 12 Hatton-garden.

Ascott, Thomas Richard, Hambro' Coffee-house, Water-lane, London, Waiter. Pet Aug 16. London, Sept 9 at 12. Sol Catchpool, 23 Great Tower-st.

Ashworth, Thomas, 80 Murray-st, Oldham-rd, Manchester Machine Broker. Pet Aug 15. Manchester, Sept 30 at 9.30. Sol Crowther, Manchester.

Bailey, George, Hanham, Bitton, Gloucestershire, Painter. Aug 12. Bristol, Aug 30 at 12.30. Sol Miller.

Bartlam, Philip, Oak-ter, Alma-st, Aston, Warwickshire, Glass Dealer. Aug 13. Birmingham, Sept 29 at 10. Sols James & Knight, Birmingham.

Bennett, Henry, Whitmore-bdge, Hoxton, Mantle Manufacturer. Pet Aug 11. London, Sept 2 at 12. Ashurst, Son, & Morris, 6 Old Jewry.

Boardman, Thomas James, 1 Malcolm-pl, Larkhall-lane, Clapham, Teacher of Music. Pet Aug 15. London, Sept 9 at 12. Sol Bickley, 32 King William-st.

Brook, Fleemings, Bensington, Oxfordshire, Surveyor of Taxes. Pet Aug 6 (in forma pauperis.) Wallingford, Aug 29 at 12.

Brown, Henry Kittler, 75 Carlisle-st, Lambeth, Assistant Door-keeper at the House of Lords. Pet Aug 14. London, Sept 2 at 1. Sol Hare, 6 Old Jewry.

Burston, Henry, George-st, near the Parade, Birmingham. Pet Aug 16 Birmingham, Sept 29 at 10. Sol East, Birmingham.

Cheeman, John, Black-a-Moor's Head Inn, Church-st, Thorne, Yorkshire, Innkeeper. Pet Aug 8. Thorne, Sept 3 at 3. Sol Woodhead, Doncaster.

Clifton, Samuel, Guildsborough, Northamptonshire, Draper. Pet Aug 14. London, Sept 2 at 1. Sols Loftus & Young, New-inn, London, and Shoesmith, Northampton.

Collis, George, 21 Richmond-ter, East-st, Walworth, Brush Maker. Pet Aug 14 (in forma pauperis.) London, Sept 2 at 1. Sols Aldridge & Bromley, 46 Moorgate-st.

Cove, Robert, 11 and 62 Richmond-st, Plymouth, Devonshire, Tailor. Pet Aug 15. East Stonehouse, Sept 11 at 11. Sol Fowler, Plymouth.

Davies, Caleb, Nantybridell, Pembrokeshire, Butter and Cheese Merchant, Aug 11. Bristol Aug 29 at 11. Sol Brittan Bristol.

Davies, Thomas, Snailbeach, Worthen, Salop, Grocer. Pet Aug 11. Welchpool, Sept 1 at 11. Sol Jones, Welchpool.

Davis, Mark, York Town, Frimley, Surrey, Poulterer. Pet Aug 12. Farnham, Aug 27 at 12. Sol White, Guildford.

Dawson, William, Fakenham, Norfolk, Watchmaker. Pet Aug 14. Little Walsingham, Sept 1 at 11. Sol Drake, East Dereham.

Denew, Robert Manning, Hethersett, Norfolk, Labourer. Pet Aug 15. Norwich, Sept 1 at 11. Sol Atkinson, Norwich.

Dent, John, Castle Bar-hill, Ealing, Middlesex, Upholsterer. Pet Aug 9. London, Sept 9 at 11. Sol Holt, Quality-ct, Chancery-lane.

Dickenson, Sarah, Barnes-ter, Barnes, Baker and Confectioner. Pet Aug 14. London, Sept 2 at 12. Sols Sladden & Oliver, 4 Sambrook-ct, Basinghall-st.

Duckworth, William, Manchester, Cotton Spinner. Pet Aug 15. Manchester, Sept 1 at 11. Sol Whitworth, Manchester.

Fowell, Samuel, High-st, Burslem, Staffordshire, Beerseller. Pet Aug 18. Hanley, Aug 30 at 12. Sol Sutton, Burslem.

Gamman, Samuel, 4 Cullum-st, Fenchurch-st, Clerk to a Shipbroker. Pet Aug 15. London, Sept 9 at 11. Sol Harcourt, 2 King's Arms-yard.

Green, Henry, Wellington-st, Tunstall, Staffordshire, Beerseller. Pet Aug 18. Hanley, Aug 30 at 12. Sol Moxon, Hanley.

Grigg, Samuel, 28 Prior-pl, East-st, Old Kent-rd, General Dealer. Pet Aug 16. London, Sept 4 at 11. Sol Pook, Basinghall-st.

Hall, Edward Josias, Shock's-coppice, near Charlbury, Oxfordshire, Farmer. Pet Aug 15. London, Sept 9 at 11. Sols Clarke, Gray & Woodcock, 20 Lincoln's-inn-fields, and Rawlinson, Chipping Norton.

Hatchwell, Samuel, 4 Langham-st, Portland-pl, Cabinet Maker. Pet Aug 14. London, Sept 2. Sol Ody & Paddison, 3 New Boswell-ct, Carey-st.

Heselwood, William, Attercliffe, near Sheffield, Blacksmith. Pet Aug 12. Leeds, Sept 13 at 10. Sol Mason, York and Sheffield.

Horsey, Elizabeth, Stoke St Mary, Somersetshire. Pet May 15. Taunton, Aug 29 at 12. Sol Trenchard, Taunton.

Ibbotson, Robert, 15 St Albans, Blackburn, Lancashire, Builder. Pet Aug 16. Manchester, Sept 4 at 11. Sols Cobbett & Wheeler, Manchester.

James, Hugh, 248 Camberwell New-rd. Pet July 31. London, Sept 9 at 11. Sols Lawrance, Plews, & Boyer, 14 Old Jewry-chambers, and Hacker, Leek.

Jessop, Adam, Burrows-st, Bradford. Pet Aug 15. Bradford, Aug 30 at 10.30. Sol Dransfield, Huddersfield.

Jowitt, Joseph, Huddersfield, Plasterer. Pet Aug 14. Leeds, Sept 4 at 11. Sols Floyd & Learoyd, Huddersfield, and Bond & Barwick, Leeds.

Kimberley, John, Union Mill-st, Wolverhampton. Pet Aug 15. Dudley, Sept 4 at 11. Sol Bartlett, Wolverhampton.

Kimpton, Benjamin, 43 High Holborn, Middlesex, Bookseller. Pet Aug 15. London, Sept 9 at 11. Sol Biggenden, 5 Walbrook.

Lloyd, William Wells, 39 Mount-pleasant, Liverpool, Architect. Pet April 14. Liverpool, Sept 15 at 3. Sol Thornley, Liverpool.

McCann, James, 8 Lloyd-st, Oldham-rd, Manchester, Brace and Belt Manufacturer. Pet Aug 15. Manchester, Sept 30 at 9.30. Sol Rawlinson, Manchester.

Miles, James, jun, New-st, Kennington, Surrey, General Dealer. Pet Aug 15 (in forma pauperis). London, Sept 9 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Milne, James, 35 Ockendon-rd, Islington. Pet Aug 15. London, Sept 9 at 12. Sols Howard, Halse, & Trustram, 66 Paternoster-row.

Morbey, Edwin, 8 Cornwallis-pl, Baptist-mills, Bristol, Accountant. Pet Aug 12. Bristol, Aug 30 at 12.30. Sol Roper.

Moore, Thomas, 3 Redcliff-crescent, Bristol, Tallow Chandler. Aug 15. Bristol, Aug 29 at 12 Sol Brittan, Bristol.

Nathan, Michael, 15 Leman-st, Whitechapel, Journeyman Tailor. Pet Aug 14. London, Sept 2 at 12. Sol Davies, 9 Union-ct, Old Broad-st.

Newby, John, 20 Woburn-news West, Russell-sq, Coachman. Pet Aug 15 (in forma pauperis). London, Sept 9 at 11. Sols Aldridge & Bromley, 46 Moorgate-st.

Orchard, Thomas Seagram, Park-rd, Peckham, Surrey, Butcher. Pet Aug 14 (in forma pauperis). London, Sept 2 at 1. Sols Aldridge & Bromley, 46 Moorgate-st.

Orton, John Edward Hinde, 7 Well-st, Gray's-inn-rd, Middlesex, Clerk in the War Office. Pet Aug 16. London, Sept 4 at 11. Sol Marshall, Hatton-garden.

Owen, John, Brynllys, Llandegai, Carnarvonshire, Smith. Pet Aug 16. Liverpool, Sept 1 at 12. Sols Evans, Son, & Sandys, Liverpool.

Owgan, Henry, Richmond-villa, Montpelier, Bristol. Aug 15. Bristol, Aug 29 at 12. Sol Brittan, Bristol.

Oxspring, William Henry, Eckington, Derbyshire, Farm Servant. Pet Aug 13. Chesterfield, Sept 3 at 11. Sol Hinde, Sheffield.

Parsons, Richard, Hill Marton, Wilts, Farmer, Pet Aug 15. Bristol, Aug 29 at 1. Sols Pratt, Wootton Bassett, and Brittan & Son, Bristol.

Phillips, Edwin, Villa-st, Aston, Warwickshire, Gilt Toy Manufacturer. Aug 13. Birmingham, Sept 29 at 10. Sols James & Knight, Birmingham.

Phillips, William, Lennox-st, Aston, Warwickshire, Jeweller. Aug 13. Birmingham, Sept 29 at 10. Sols James & Knight, Birmingham.

Pickering, Joseph, 35 New Bridge-st, Blackfriars, Contractor for Public Works. Pet Aug 14. London, Sept 2 at 12. Sol Chandler, 33 Clement's-lane.

Poole, Frederick Tom, King's Head, Bartlett-st, Bath, Licensed Victualler. Pet Aug 14. Bristol, Sept 4 at 11. Sols Slack and Simmons, Bath, and Abbot, Lucas, & Leonard, Bristol.

Price, William, Bath-st, Bristol, Journeyman Carpenter. Pet Aug 11. Bristol, Aug 30 at 12.30. Sol Roper.

Rice, John, 6 Pier-ter, Vauxhall-bridge-rd, Middlesex, Labourer. Pet Aug 13 (in forma pauperis). London, Sept 4 at 11. Sol Aldridge, 46 Moorgate-st.

Richards, John, Penarth, Glamorganshire, Stone Cutter, Aug. 8. Cardiff, Sept 1 at 11. Sol Ensor, Cardiff.

Richardson, Joseph, Dewsbury, Yorkshire, Fruit and Provision Merchant. Pet Aug 12. Leeds, Sept 4 at 11. Sol Mason, York and Sheffield.

Ridgway, Henry, Mindley, near Wigan, Lancashire, Farmer. Pet Aug 16. Manchester, Sept 5 at 11. Sol Ambler, Manchester.

Roberts, Thomas, Tonge, near Middleton, Lancashire, Dyer. Pet Aug 14. Manchester, Aug 29 at 12. Sol Boote, Manchester.

Ross, William, 19 St. Mary-st, Swansea, Travelling Draper. Pet Aug 12. Swansea, Sept 3 at 2. Sol Goodere, James-st, Neath.

Smethurst, Hugh James, Fennell-st, Manchester, Letter-press Printer. Pet Aug 14. Manchester, Sept 1 at 12. Sol Atherton, Manchester

Smith, Joseph, & William Goldthorp, Whitwood, Featherstone, Yorkshire, Glass Bottle Manufacturers. Pet Aug 13. Leeds, Sept 4 at 11. Sol Markland, Leeds.

Solomons, Michael, 70 Holywell-lane, Shoreditch, Middlesex, Tailor and Draper. Pet Aug 16. London, Sept 4 at 11. Sol Massey, 8 Old Jewry.

Sparrey, Thomas, Kempsey, Worcestershire, Market Gardener. Pet July 31. Worcester, Sept 4 at 11. Sol Wilson, Worcester.

Taylor, Charles, River Cottage, Hornsey, Stationer. Pet Aug 14. London, Sept 2 at 1. Sol Rodwell, Connaught-ter.

Temple, George, 25, Pudding-lane, London, Wine Merchant. Pet Aug 13. London, Sept 9 at 11. Sol Pattison, 44 Bedford-row.

Thompson, Charles Williams, Manchester, Confectioner. Pet Aug 16. Manchester, Aug 30 at 11. Sol Boote, Manchester.

Tothill, Henry, 1 Braddon's-st, Torquay, Devonshire, Grocer, Pet Aug 18. Newton-Abbot, Aug 29 at 11. Sol Carter, Torquay.

Tribe, John, South View, Joseph-street, Newtown, near Gosport, Alverstoke, Hampshire, Pig and General Dealer. July 21. Portsmouth, Aug 30 at 11. Sol Paffard, Portsea.

Tunmore, Frederick, 42 Watson-st, Birkenhead, Cheshire, Journeyman Stone Mason. Pet Aug 15. Birkenhead, Sept 15 at 10. Sol Rymer, Liverpool.

Watkins, Richard, Diglis-street, Worcester, Builder. Pet Aug 15. Birmingham, Sept 1 at 12. Sol Wright, Birmingham.

Watson, Samuel, 1 Broomhill-st, Sheffield, Spring Knife Manufacturer. Pet Aug 16. Sheffield, Sept 3 at 2. Sol Pattison, Sheffield.

White, William, Green Dragon, Strand, Swansea, Glamorganshire, Licensed Victualler. Pet Aug 12. Swansea, Sept 3 at 2. Sol Goodere, James-st, Neath.

Whitelock, William, East Retford, Nottinghamshire, Draper. Pet Aug 16. Sheffield, Aug 30 at 10. Sol Mason, York and Sheffield.

Wood, Alfred, Reservoir-ter, Aston, Warwickshire, Jeweller. Aug 13. Birmingham, Sept 29 at 10. Sols James & Knight, Birmingham.

Wright, Edwin, 26 West Hill-st, Brighton, Sussex, Bath Proprietor. Pet Aug 14. London, Sept 2 at 12. Sol Woods, 64 Ship-st, Brighton.

BANKRUPTCY ANNULLED.

FRIDAY, Aug. 15, 1862.

Burnard, Moses, 38 Bear-lane, Blackfriars-rd, Surrey, Carman. Aug 11.

JOHN GOSNELL & CO., PERFUMERS TO THE QUEEN, beg to recommend the following Fashionable and Superior Articles for the TOILET to the especial notice of all purchasers of Choice PERFUMERY.

John Gosnell & Co.'s JOCKEY CLUB PERFUME, in universal request as the most admired perfume for the handkerchief, price 2s. 6d.

John Gosnell & Co.'s LA NOBLESSE PERFUME—a most delicate perfume of exquisite fragrance.

John Gosnell & Co.'s GARIBALDI BOUQUET—a most choice and fashionable perfume.

John Gosnell & Co.'s RUSSIAN LEATHER PERFUME—a very fashionable and agreeable perfume.

John Gosnell & Co.'s BALL-ROOM COMPANION or FOUNTAIN PERFUMES. Elegant Novelties, in the form of Portable Handkerchief Perfumes in a neat case, which emits on pressure a jet of most refreshing perfume. Price 1s. and 1s. 6d. each.

John Gosnell & Co.'s LA NOBLESSE POMADE—elegantly perfumed, and highly recommended for beautifying and promoting the growth of Hair.

John Gosnell & Co.'s GOLDEN OIL—Moëlline—Macassar Oil—Bears Grease, &c., for the Hair.

John Gosnell & Co.'s CHERRY TOOTH PASTE is greatly superior to any Tooth Powder, gives the Teeth a pearl-like whiteness, protects the enamel from decay, and imparts a pleasing fragrance to the breath.

John Gosnell & Co.'s AMBROSIAL SHAVING CREAM, 1s. and 1s. 6d. in pots; also, in compressible tubes, for the convenience of persons travelling, price 1s.

John Gosnell and Co.'s INSTANTANEOUS HAIR DYE—The only Hair Dye which produces a good natural colour with perfect certainty and with the least possible trouble.

Manufactory, 12, Three King-court, Lombard-street, London.

OFFICE AND HOUSEHOLD FURNITURE of every description. Fire Proof Safes, all second Hand, by the most eminent makers, continually on sale. The largest stock in London at L. SOLOMON'S 10, Water-lane, Blackfriars, facing Apothecaries' Hall. Established 1832.

VAUXHALL-GARDENS ESTATE, LAMBETH, SURREY.

About eight acres of Freehold Building Land, free from land-tax, with immediate possession.

MESSRS. DRIVER are instructed to SELL by AUCTION, at the MART, near the Bank of England, on FRIDAY, AUGUST 22, at TWELVE for ONE, in 27 Lots (by order of the Mortgagees under power of sale), about eight acres of FREEHOLD BUILDING LAND, situate in the parish of St. Mary, Lambeth, in the county of Surrey; comprising the site of the Royal Vauxhall-gardens, abbutting on Kennington-lane, New Bridge-street, Vauxhall-walk, Goding-street, and Miller's-lane, and which has recently been opened and intersected by new roads, known as Auckland-street and Burnett-street. The Vauxhall Station on the South-Western Railway is immediately opposite the estate, giving facilities for ready access from all parts, either for passenger or goods, and a considerable value is imparted to the estate consequent on its proximity to the river Thames. The estate will be divided into lots eligible for the erection of dwelling-houses, with shops, residences for operatives, or for factories or other commercial purposes, and possesses several prominent plots, well adapted for a public-house, institutions, or other public buildings.

Particulars, with plans annexed, may be had at the public-houses in the neighbourhood; at the Mart; at Messrs. KEMPSON & TROLLOPE, Solicitors, 31, Abingdon-street, Westminster; and of Messrs. DRIVER, Surveyors, Land Agents, and Auctioneers, 5, Whitehall, S.W.